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Civil Commitment

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Emergency physicians are often called on to care for patients for whom involuntary commitment may be a consideration. Civil commitment, the term used to describe the only non-criminal process by which the law allows individuals to be detained and their freedom of movement restricted, is applied to persons who, because of psychiatric illness or another disease, pose a danger to themselves or others. The laws delineating and governing this process are state laws, but federal regulations and oversight may also apply.

Commitment involves an infringement of civil liberties and may create special concerns for emergency department personnel. When participating in commitment procedures, the emergency physician should consider the following:

- Aspects of the process of commitment, including relevant laws, regulations, institutional policies, documentation, and patient rights.
- Performing an appropriate history and physical examination with appropriate, relevant ancillary diagnostic procedures, and with attention not only to the psychiatric evaluation but also to the possibility of other causative underlying medical problems.
- The patient's right to confidentiality and privacy.

ACEP supports the use of written department guidelines or policies addressing the commitment of emergency patients. ACEP further recognizes the importance of psychiatric and other mental health care professionals in the evaluation of patients that may be in need of commitment, and strongly supports access for patients to appropriate mental health consultation