

**Department of Behavioral Health
TRANSMITTAL LETTER**

SUBJECT DBH Outpatient Forensic Review Board		
POLICY NUMBER DBH Policy 303.5	DATE JUN 22 2015	TL# 283

Purpose. This policy defines the role and responsibility of the Department of Behavioral Health (DBH) Outpatient Forensic Review Board (OFRB). The purpose of the policy is to clarify the membership, function and scope of authority of the OFRB.

Applicability. This policy applies to members of the OFRB and all staff members who participate in the Review Board process within Forensic Outpatient Services, Department of Behavioral Health.

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority (BHA) offices.


Effective Date. This policy is effective immediately.

Superseded Policy. None.

Distribution. This policy will be posted on the DBH web site at www.dbh.dc.gov under Policies and Rules. Applicable entities are required to ensure that affected staff is familiar with the contents of this policy.



Barbara J. Bazron, Ph. D.
Interim Director, DBH

<p style="text-align: center;">GOVERNMENT OF THE DISTRICT OF COLUMBIA</p>  <p style="text-align: center;">DEPARTMENT OF BEHAVIORAL HEALTH</p>	<p>Policy No. 303.5</p>	<p>Date JUN 22 2015</p>	<p>Page 1</p>
	<p>Supersedes NONE</p>		

Subject: DBH Outpatient Forensic Review Board

1. **Purpose.** This policy creates the Department of Behavioral Health (DBH) Outpatient Forensic Review Board (OFRB) and establishes its role, responsibilities, membership and functions.

2. **Applicability.** This policy applies to members of the OFRB and all staff members who participate in the Review Board process within Forensic Outpatient Services, Department of Behavioral Health.

3. **Authority.** D.C. Official Code sections 24-106, 301, 302, 306, 501 (2012);

4. **Policy.**

4a. The OFRB is administratively responsible for a case review prior to a presentation to the court for a change in an NGRI committed patient's release status or change to a less or more restrictive status. The OFRB shall review: (1) each post-trial Not Guilty By Reason of Insanity (NGRI) committed outpatient's progress toward recovery annually, and (2) all requests or recommendations for change in security classification, and conditional or unconditional release orders. The goal of the OFRB is to ensure that each committed outpatient is placed in the least restrictive environment consistent with the consumer's individual needs and the interest in public safety.

4b. The OFRB is an interdisciplinary panel composed of seven (7) voting members. The DBH Chief Medical Officer or designee shall serve as the chair. The DBH Forensic Outpatient team will schedule the Review Board meetings and presentations and record the minutes, Board's findings, decisions and recommendations.

- The voting members are: (1) DBH Chief Medical Officer or designee (Chair), (2) DBH Associate Medical Director, (3) Mental Health Services Division (MHSD) Program Director, (4) MHSD Medical Director, (5) a Clinical Psychologist, (6) a Registered Nurse, and (7) a Licensed Clinical Social Worker. If one of the voting members is unable to attend, he/she may appoint a designee of equal licensure. The OFRB will meet twice a month.
- For all requests for an unconditional release, the Director of Inpatient Forensic Services shall be included as a voting member of the OFRB.
- Non-voting members of the OFRB are members of Forensic Services' executive staff and an attorney from the Office of the Attorney General for the District of Columbia.

4c. The DBH Forensic Program Manager or psychiatrist shall be responsible for writing or assigning the task of writing a report summarizing the case and outlining the rationale for the treatment team's recommendation. The report shall adhere to the format for reports to the Review Board (Exhibit 1), unless the Chief Medical Officer or designee approves a supplemental report (Exhibit 2) or other type of presentation.

- The Forensic Program Manager or outpatient psychiatrist shall present the report/addendum to the Review Board.
- The Forensic Program Manager shall make a concerted effort to have all levels of direct care staff (e.g., case managers) that are involved in the patient's treatment attend and participate in the presentation. All members of the treatment team are strongly encouraged to attend.

4d. The OFRB shall hear the presentation and discussion of the case by the treatment team and shall, at its discretion, deliberate on the case in executive session. Upon conclusion of the discussion and deliberation, a vote shall be taken. The Chief Medical Officer or designee has the discretion of deferring the decision and referring the case for further review.

4e. The OFRB's decision shall be in writing. The Department's recommendation to the court on changes to a consumer's placement or conditions of release shall adhere to the decision and recommendation of the OFRB. The OFRB may make non-binding treatment recommendations to the treatment team.

4f. The Forensic Program Manager or designee shall be responsible for writing a brief note in the consumer's medical record that includes the date and decision of the Review Board and completes the "Report of OFRB Findings, Decision and Recommendations". The Chief Medical Officer or designee shall approve, sign and date this form and attach it to the last page of the signed Review Board Report, and file in the consumer's medical record.

4g. If there is a recommendation to change security levels or status, a report is sent to the court for consent prior to any changes being made.

4h. Consumers and their representatives are not permitted to attend OFRB meetings, unless an exception is granted by the Chief Medical Officer or designee.

4i. All members and participants of the Review Board shall keep the deliberations of the Review Board confidential.

5. Definitions.

5a. Forensic Outpatient Services. Refers to the unit within the Department of Behavioral Health Mental Health Services Division (MHSD) that provides services to consumers who have been adjudicated "Not Guilty By Reason of Insanity" and conditionally released to the community by the Court from inpatient status at Saint Elizabeths Hospital.

5b. Outpatient Forensic Review Board (OFRB). Appointed by the Director, DBH, to be responsible for monitoring consumers placed by court order until discharged by the court. The role and responsibilities of OFRB are stated in this policy.

Approved By:

**Barbara J. Bazron, Ph. D.
Interim Director, DBH**

Barbara J. Bazron

(Signature)

6/22/15
(Date)