



ADVOCACY CENTER
SERVING PEOPLE WITH DISABILITIES AND SENIOR CITIZENS

RIGHTS OF PERSONS WITH MENTAL ILLNESS: SECLUSION AND RESTRAINT

Basic Rights with Regards to Seclusion and Restraint

- Seclusion and restraint must only be used to prevent a patient from physically injuring him/herself or others;
- Seclusion and restraint must not be used to punish or discipline a patient or as a convenience to the staff of the treatment facility.

Permitted Uses of Seclusion and Restraint:

- When verbal intervention or less restrictive measures fail; AND
- In an emergency. For example, when there is substantial risk of self-destructive behavior, such as attempts to commit suicide or to inflict serious harm to self or another person.

Requirements Connected with the Ordering of Seclusion and Restraint:

- A written order from a physician, psychologist, medical psychologist, or psychiatric mental health nurse practitioner acting within the scope of his or her institutional privileges or a specially trained registered nurse in certain circumstances;
- Written orders shall be time limited and not more than 12 hours in duration;
- Written orders for the use of restraint and seclusion may be renewed for up to 12 hours if the medical personnel issuing the order determine that there is no less restrictive means of preventing injury to the patient or others;
- If any patient is held in seclusion or restraint for 24 hours, the physician, psychologist, medical psychologist, or psychiatric mental health nurse practitioner must conduct an actual examination of the patient and document the reason why the use of seclusion or restraint beyond 24 hours is necessary, and the next of kin or responsible party must be notified by the twenty-sixth hour.

Requirements Connected with the Use of Seclusion and Restraint:

- Periodic monitoring and care of the patient must be provided by responsible staff;
- A patient must be evaluated every 15 minutes, especially in regards to meals, water, snacks, bathing, the need for motion, and exercise, and use of the bathroom, and documentation of these evaluations shall be entered in the patient's record;
- Mechanical restraints must be designed and used so as not to cause physical injury to the patient and so as to cause the least possible discomfort.

Requirements Connected with Release From Seclusion and Restraint:

- As soon as the reasons justifying the use of seclusion or restraint subside.

Call or Write the Advocacy Center

If you believe that your rights have been violated or you need more information, call the Advocacy Center. Leave your name, the name of the facility, and your patient identification number. An intake specialist will call you back within 2 – 3 business days.

**1010 Common Street, Suite 2600
New Orleans, LA 70112**

(800) 960-7705 (Voice)--(866) 935-7348 (TTY)

www.advocacyla.org

NOTE: Seclusion should not be confused with "time out". In "time out," a patient may be placed alone in a room or other area as part of a behavior shaping technique. This must be part of the patient's written treatment plan and cannot exceed 30 minutes at a time or exceed a total of 3 hours in a 24 hour period.

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