



Doña Ana County

Doña Ana County Assisted Outpatient Treatment (AOT)

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AOT

- Assisted Outpatient Treatment (AOT) is court ordered community-based treatment proven effective in increasing adherence to treatment as well as reducing hospitalization and incarceration for persons living with serious mental illness (SMI).



Non-Engagement in & Lack of access to Treatment

- People with SMI are caught in the “revolving doors” of the mental health and criminal justice systems.
 - Additional trauma
 - Little return on investment



Supportive Engagement and Better Access

- Strategy to address non-adherence
- Form of civil commitment
- Trauma-Informed
- Means of leveraging the power of courts to influence behavior and services



New Mexico's AOT Law

- MOU between City or County and District Court
- Petitioner
- Evaluation
- Treatment Plan
 - ACT
 - CCSS
 - Intensive Case Management
- Up to one year, option for second year



Eligibility Criteria

Clear and Convincing Evidence

1. 18 or older
2. Resides in County
3. Primary diagnosis of mental illness
4. History of lack of adherence to treatment resulting in:
 - Repeat hospitalization or received mental health services in a jail, prison, or detention center;
 - Serious violent behaviors toward self or others; or
 - Hospitalization, incarceration, or detention, for six months or more and will be discharged/released in the next 30 days or was discharged in the past 60 days.
5. Unwilling/unlikely to participate voluntarily
6. Least restrictive option to prevent relapse or deterioration
7. Will likely benefit, in their best interest



Petitioner

- Adult residing with individual
- Parent or Spouse
- Sibling or Child
- Hospital Director
- Director of agency providing mental health services
- Qualified Professional who supervises or treats within past 2 years
- Surrogate decision-maker



Resources

- Judge – Court orders and motivation (county)
- Respondent's Attorney – Civil rights and representation (paid contractor)
- Petitioner's Attorney – DA/private attorney to complete paperwork (co-competitioner or paid contractor)
- Qualifying Professional - Affidavit and treatment plan (Medicaid)
- Provider - ACT or CCSS (Medicaid)
- Program Coordinator (county/grant)
- Housing Navigator (county/grant)
- Evaluator (county/grant)



Court Process

- Petition – hospital discharge or community-based referral
- Initial Hearing – patient represented by counsel
- Court Order Directing
 - Patient to comply with treatment plan
 - BH system to ensure delivery of treatment plan
- Judicial Reviews
 - 2-month, 6-month, 11-month, or emergency hearings
- Treatment Team Meetings – Review progress and discuss needs
 - Every other month



Court Order

- AOT order is uniquely toothless
 - No contempt of court
 - No automatic return to inpatient commitment
 - No forcibly administration of medications
- What's the point?



The Court Order Matters

- NY Research Conclusion:

“The increased services available under [AOT] clearly improve recipient outcomes. However, the [AOT] court order, itself, and its monitoring do appear to offer additional benefits in improving outcomes.”



“The Black Robe Effect”

- Judges naturally command respect as symbols of authority.
- The AOT judge must embrace the role of primary motivator.
- The black robe effect works on the treatment system as well.
- Lack of punishment for non-adherence doesn't mean lack of consequence.



AOT Works: 2009 NY Study

- Likelihood of arrest reduced by half
- AOT group 4x less likely to commit serious violence vs. non-eligible control group, despite more violent histories
- Likelihood of hospital admission over 6-month period reduced by half (74% to 36%)
- “Substantial reductions” in hospital days





Effectiveness of AOT programs nationwide

Research across the U.S. has shown that AOT programs are effective in the following areas (Phelan et al., 2010; Swartz et al., 2002):

- Engaging clients
- Reducing recidivism
- Reducing hospitalization and suicide rates
- Increasing quality of life and insight
- Improving clinical symptoms



Doña Ana County Data – May 2021

- Crimson Research at NMSU
 - Average # of hospitalizations reduced by 58%
 - # of days spent in a psychiatric hospital reduced by 69%
 - # of arrests declined by 81%
 - Reduced homelessness
 - Positive attitude toward medication
 - Mental health symptoms perceived to be less bothersome
 - 92% said judge treated them respectfully
 - 89 % said they felt more hopeful



Questions and Comments



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