



**MONTANA STATE HOSPITAL  
FORENSIC MENTAL HEALTH FACILITY  
POLICY AND PROCEDURE**

**SECURITY PROCEDURES:  
DISCHARGE AND TRANSFER SECURITY RESTRAINTS  
FOR FORENSIC MENTAL HEALTH FACILITY PATIENTS**

**Effective Date:** February 1, 2016

**Policy #:** MSH FMHF-25

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**I. PURPOSE:** To provide for safety and security when discharging or transferring patients who present a serious risk to the public and who are committed to Montana State Hospital (MSH) Forensic Mental Health Facility (FMHF) through criminal proceedings (forensic commitments).

**II. POLICY:** Patients on forensic commitments at the FMHF will be assessed and evaluated by the treating psychiatrist no less than monthly to evaluate the need for application of security restraints. Security restraints will be applied when patients are discharged or transferred to another facility or escorted outside of the FMHF to ensure secure transportation. The use of security restraints as provided for in this document is considered medically necessary because of the need to secure the individual, retain custody of the individual, and protect the public from individuals who are admitted to FMHF through criminal court proceedings for evaluation or treatment of mental illness. The FMHF has a responsibility to prevent unauthorized leave of these individuals.

**III. DEFINITIONS:**

A. FMHF Forensic Commitments – Those occurring under Title 46, Section 14 of the Montana Code and refer to person on Court Orders for Evaluation (COE); Pre-Sentence Evaluation (PSE); Unfit to Proceed (UTP); Not Guilty by Reason of Mental Illness (NGMI); Guilty but Mentally Ill (GBMI); or revocation of a conditional release under this section of law. The term also refers to persons transferred from Montana Department of Corrections facilities who may be on civil commitments.

FMHF Forensic Patients – Patients residing at the Forensic Mental Health Facility located in Galen, Montana.

B. Security Restraint – A soft (leather, fabric weave, Velcro or locking type) but reliable restraint used to restrict an individual's movement as applied under this policy.

**IV. RESPONSIBILITIES:**

A. Licensed Independent Practitioner (LIP) - The treating LIP will evaluate each patient on the FMHF at least monthly regarding the need to use security restraints when the patient is escorted outside the FMHF for appointments, activities, or transfer or discharge. .

- B. Registered Nurse – To document the use of restraint and condition of the patient upon application of the restraint and again at the time the restraint is removed upon return to the unit.
- C. Psychiatric Technicians – To apply security restraints and to follow procedures intended to protect the patient and the public.
- D. Forensic Mental Health Technicians (FMHT's) – To monitor safety and security on the unit, encourage compliance with safety policies, and respond to patients who may demonstrate unsafe behaviors or violation of security policies.
- E. FMHF Social Worker: The individual responsible for communicating with the community court and legal systems and managing the referrals to FMHF

**V. PROCEDURE:**

- A. Each patient residing on the FMHF of MSH will be evaluated each month to assess the level of security needed when the patient is escorted outside of the unit for medical appointments or other necessary activities. The evaluation will consider:
  - a. The patient's criminal charges
  - b. The patient's legal status (e.g., pre-adjudication or post-adjudication)
  - c. Risk to the others including victims and the public at large
  - d. Mental status
  - e. Involvement in treatment
  - f. Cooperation with treatment, staff, peers, and unit rules
  - g. Physical condition
  - h. Other factors that may be indicators of dangerousness or elopement risk
- B. Summary findings from the evaluation will be entered in the progress notes.
- C. A LIP's order will be entered specifying the need to use security restraints when escorting the patient outside of FMHF. The order may also specify the minimum number of staff to accompany the patient when outside of the facility. The order may be entered monthly and updated as needed throughout the month.
- D. Ambulatory waist-wrist restraints will be normally used unless otherwise specified. The order may also specify use of ankle restraints.
- E. No restraint will be applied if medically contra-indicated. Patients may be restrained to a chair or gurney as ordered by a LIP when medically necessary to provide for safe transport.
- F. When a patient is taken to an appointment or activity and is in restraints for an extended period of time, the staff member accompanying the patient may release one extremity at a time to periodically provide for range of motion and check the

