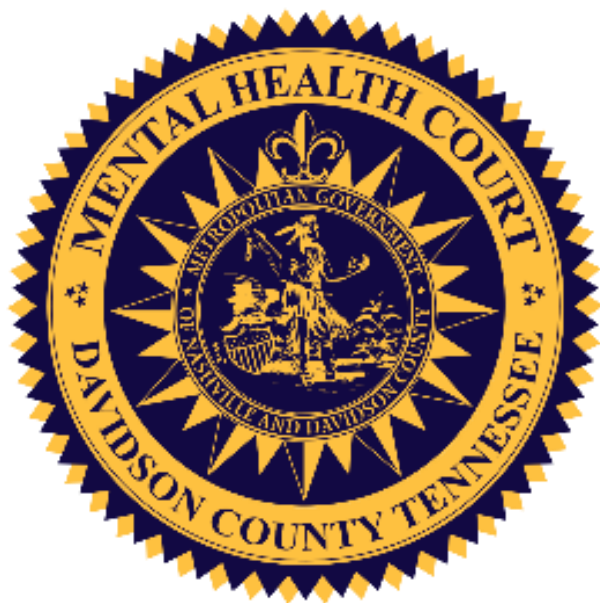


# MENTAL HEALTH COURT

## PARTICIPANT HANDBOOK



## TRACK 1

## WELCOME TO THE MENTAL HEALTH COURT

Welcome to the Davidson County Mental Health Court.

You are a part of this program because you have value as an individual and our goal is to provide the opportunity of this program to make changes that will improve your life.

As you have been told, this program is *voluntary*. By participating, you have made the decision to seek help. That is a choice we will work each day to respect and we will provide every service possible to aid your recovery.

This handbook will explain all that is required of you to be successful. I encourage you to read, learn and refer to it often as you progress through the program. Always be mindful that I, our staff and all our provider partners are here *for you*. Your success is our focus and we are prepared to stand with you through the process toward graduation.

While you can expect our best efforts on your behalf, we will expect the same of you. Follow the directions you are given. Keep your appointments. Refrain from alcohol and substance use. Always remember that when things are tough you can turn to your client specialist for help. You are not alone on this road.

I am looking forward to our time together and our work to make your recovery successful. I have every confidence in you and I'm eager to see the great results we can achieve.

Good luck!

*Judge Melissa Blackburn*

## **MENTAL HEALTH COURT TEAM**

The team meets each week to review participants' progress through the program. The following are its active members and their positions within the program:

**Judge:** **Hon. Melissa Blackburn**

**Assistant District Attorney:** **Jordan Shannon**

**Public Defender:** **Jennifer Barrera**  
**Joan Lawson**

**Program Director:** **Mark Winslow**

**Administrative Assistant:** **Cynthia Nelson**

**Assistant Director:** **Trish Breeding**

**Client Specialists:** **Derek DeSha**  
**Valerie Fisher**  
**Frances Whitaker**  
**Brandon Bentley**

### **COMMUNITY RESOURCES:**

**Mental Health Provider:** \_\_\_\_\_

**Case Manager:** \_\_\_\_\_

**Sponsor:** \_\_\_\_\_

**Mobile Crisis:** Text "HELP" to 741741 or (855) 274-7471

**TN Redline:** (800)-889-9789

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## **INTRODUCTION TO MENTAL HEALTH COURT**

First and foremost, welcome to Mental Health Court (MHC.) As a participant of MHC, you are expected to follow the instructions given to you in court by Judge Blackburn and the treatment team. You will also be responsible for complying with the individualized treatment plan developed specifically for you. This treatment plan will be developed by treatment staff at MHC with your input. This handbook will explain what is expected of you and provide general program information. **We encourage you to share this handbook with your direct support system so they will know about the work you are doing with the court. Support from those around you will be extremely important throughout your participation in the program.**

**PLEASE NOTE THAT THE INFORMATION IN THIS HANDBOOK MAY CHANGE AS NEW MANDATES ARE RELEASED BY STATE AND FEDERAL REGULATORY AGENCIES, THE TREATMENT TEAM MAKES ADJUSTMENTS, OR FUNDING CHANGES OCCUR.**

### **OFFICE ADDRESS & PHONE NUMBER**

100 James Robertson Parkway  
Suite 100  
Nashville, TN 37219  
Phone: (615) 862-8320  
Fax: (615) 862-8361

### **HOURS OF OPERATION:**

**Monday: 8:00a – 4:00p**  
**Tuesday: 8:00a – 4:00p**  
**Wednesday: 8:00a – 4:00p**  
**Thursday: 8:00a – 4:00p**  
**Friday: 8:00a – 4:00p**  
**Saturday: Closed**  
**Sunday: Closed**

**THE MHC OFFICE WILL BE CLOSED ON ALL HOLIDAYS RECOGNIZED BY THE METROPOLITAN NASHVILLE- DAVIDSON COUNTY GOVERNMENT.**

**PARTICIPANTS SHOULD ONLY CONTACT STAFF DURING BUSINESS HOURS AND BY PROFESSIONAL MEANS (VIA WORK PHONE & EMAIL) AND SHOULD NOT ATTEMPT CONTACT VIA SOCIAL MEDIA AND OTHER PRIVATE MEANS.**

**THE MHC OFFICE IS LOCATED IN A TOBACCO AND SMOKE FREE BUILDING. YOU WILL NOT BE ALLOWED TO VAPE OR USE TOBACCO PRODUCTS INSIDE THE OFFICE.**

## **MENTAL HEALTH COURT MISSION STATEMENT**

The mission of the Davidson County Mental Health Court is to assist those justice-involved clients who have been diagnosed with a severe and persistent mental illness and their families to become integral and productive members of the community through a collaborative effort, aiding their recovery while recognizing their value as an individual.

## **MENTAL HEALTH COURT PROGRAM DESCRIPTION**

The MHC Program (Track 1) is designed to be a minimum of 18 months, consisting of five (5) phases; each phase having a minimum time to complete. The five phases are designed to help break the pattern of substance abuse/dependency, address mental health issues, and assist with re-entry into the community. The MHC program incorporates supervision through judicial leadership, oversight, and treatment to support participants through their recovery process. Treatment may consist of residential, inpatient, and outpatient treatment, or a combination of any of the above. These services may be provided through the MHC program and/or community resources.

MHC is a VOLUNTARY program for its participants but requires approval of the prosecutor, defense counsel, the referring Judge and the MHC treatment team. Your ability to progress through the program and graduate will depend greatly upon your actions. If you miss appointments, ignore court requirements, or fail to remain sober your time and participation in the program can be impacted through delayed movement through phases or possible termination.

## **ELIGIBILITY REQUIREMENTS**

Individuals may apply for the Mental Health Court at any time prior to sentencing. In addition, an otherwise eligible probationer who becomes subject to an application to revoke their probation may be eligible for admission. Individuals must have a minimum of eighteen (18) months remaining on their probationary period in order to be eligible.

Eligibility Requirements are as followed:

- Candidate must voluntarily agree to enter the Mental Health Court.
- Candidate must be eighteen (18) years or older.
- Candidate must reside within Davidson County.
- Candidate must not have violent charges that would make them ineligible.
- Candidate must have a documented diagnosis of a severe and persistent mental illness.
- Candidate must have all legal matters in other courts and/or other jurisdictions resolved.
- Candidate must be high risk, high need as indicated by the TNRAS

## **CORE MHC PROGRAM COMPONENTS**

### **COURT STATUS HEARINGS**

Your MHC status hearings are set on Tuesdays at 1:00PM and/or Fridays at 8:00AM unless rescheduled ahead of time by the court. You will be given a calendar indicating the date and time you are to appear for court each month.

Court status hearings give you a chance to discuss your progress in the program directly with the Judge. The Judge is truly interested in the progress that you are making and wants to assist you in any way possible. It is still a court appearance, and you are expected dress appropriately, address the Judge respectfully and behave in a respectful manner during the entire proceeding. Tube tops, spaghetti straps, and clothing with drug-oriented vocabulary or pictures will result in you being asked to leave court. If you have questions regarding appropriate court attire, please speak with your client specialist.

In the event of severe weather, closings will be announced by all major television stations and radio stations. If the Davidson County Courts are closed, there will be no Mental Health Court. If the Davidson County Government is closed, the MHC office will be closed.

### **JOURNAL ENTRIES**

At each court appearance all participants are required to submit a journal entry for the Judge to read. This journal entry should be a one-page summary of how you are doing in the program. This journal entry is submitted to case management at court who then turns them over to the Judge to read. Journal entries are returned to case management the following week. Upon graduation, each participant receives their journal entries from the entirety of their program.

### **TREATMENT SERVICES**

The MHC Court team will assess what level of treatment will best meet your needs and will develop an individualized treatment plan based on services available. The following services are available and may be provided to you during your participation in the program. Many of these services are provided through community partnerships with local agencies.

- Residential Intensive Inpatient Treatment
- Partial Hospitalization Program (PHP)
- Intensive Outpatient Program (IOP)
- Supervised Transitional Housing Programs
- Group Therapy
- Individual Therapy
- Family Therapy
- Relapse Prevention
- Seeking Safety
- Recovery Support Groups (AA/NA/Smart Recovery, etc)
- Moral Reconciliation Therapy (MRT)
- Acudetox
- Mindfulness



- Anger Management Class
- Mental Health referral and follow up services

**Note:** Treatment groups continue to be added as needs are presented and training is obtained.

### **CASE MANAGEMENT**

Your client specialist will be your primary point of contact during the program. It is important that you keep them informed of any changes in your contact information. The client specialist assigned by the court will work with the case manager assigned by your community mental health provider and other agencies where you receive case management. Services made available by your client specialist include, but are not limited to, the following:

- Maintain contact with residential placements
- Home visits and family contacts
- Ensure drug screening
- Verify all over the counter and prescribed medications
- Verify employment status
- Verify financial obligations
- Present Phase Promotion to Treatment Team
- Conduct curfew checks (if assigned)
- Assist with budgets and schedules
- Assist the participants in understanding legal issues such as child support, custodial issues and drivers' licenses
- Maintain contact with participants to ensure they are in compliance with the program
- Annotate client notes to local and state databases
- Communicate issues and concerns with Treatment Team
- Is the primary person the participant is to maintain all contact with, and must be aware of what is happening in the participant's daily life

### **COUNSELING**

Counseling sessions are a required part of your treatment plan. Substance abuse and mental health counseling is comprised of two separate formats: individual and group. Together they are designed to develop self-awareness, self-discipline, and coping mechanisms necessary to maintain an individual's sobriety and mental health. All participants are required to meet with a therapist individually upon admission into the program to assess the need for individual sessions.

### **SUPERVISION**

Most participants of the MHC Program are transferred into the program on probation or as part of their bond conditions. In other cases, the person is placed on State Probation or Community Corrections to be supervised by the MHC staff. Unless notified differently, you will report to MHC staff who will send reports, as needed, to other supervising agencies.

## **MENTAL HEALTH COURT (MHC) PROGRAM**

The MHC Program Track 1 is designed to be a **minimum** of 18 months; it consists of five (5) Phases, each phase having a minimum time to complete. **It is essential that each participant presents with open and honest communication to establish a foundation for recovery. It is also fundamental that each participant demonstrates willingness to participate and utilize learned skills. Advancing in phase is done at the discretion of the treatment team.**

Once approved for phase advancement, participants are required to share a short summary of what they learned in the prior phase, and what they hope to learn in the coming phase.

### **PHASE ONE (1)**

Phase One (1) is designed to last a minimum of sixty (60) days. Actual program time will vary by participant. Phase One (1) includes, but is not limited to, the following:

- Weekly court appearance
- Meet with client specialist in person weekly, or as indicated by the treatment team
- Frequent & Random urine drug screens.
- Attend group therapy as directed by individualized treatment plan.
- Submit journal entry at court appearance.
- Engage in individual counseling &/or therapy as deemed necessary.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.

To successfully complete Phase One, participants must have fourteen (14) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan. At this point, you should be starting to change the people, places and things that lead to a relapse in criminal behavior, mental health symptoms and/or substance abuse.

### **PHASE TWO (2)**

Phase Two (2) is designed to last a minimum of ninety (90) days. Actual program time will vary by participant. Phase Two (2) includes, but is not limited to, the following:

- Bi-weekly court appearance
- Meet with client specialist in person weekly, or as indicated by the treatment team.
- Frequent & Random urine drug screens.
- Attend a minimum of two (2) community support groups (if applicable.)
- Obtain a Recovery Support Sponsor (if applicable.)
- Submit journal entry at court appearance.
- Engage in individual counseling &/or therapy as deemed necessary.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.

To successfully complete Phase Two, participants must have thirty (30) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan. At this point in your program, you should be demonstrating that

you have changed the people, places and things that lead to a relapse in criminal behavior, mental health symptoms and/or substance abuse.

### **PHASE THREE (3)**

Phase Three (3) is designed to last a minimum of ninety (90) days. Actual program time will vary by participant. Phase Three (3) includes, but is not limited to, the following:

- Court appearances every three weeks.
- Meet with client specialist in person every 2 weeks, or as directed by the treatment team.
- Frequent & Random urine drug screens.
- Attend a minimum of two (2) community support groups (if applicable.)
- Continue to engage with Recovery Support Sponsor (if applicable.)
- Attend group therapy as directed by individualized treatment plan.
- Submit journal entry at court appearance.
- Engage in individual counseling &/or therapy as deemed necessary.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.

To successfully complete Phase Three, participants must have forty-five (45) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the program. Participants must also be in compliance with their individualized treatment plan.

### **PHASE FOUR (4)**

Phase Four (4) is designed to last a minimum of ninety (90) days. Actual program time will vary by participant. Phase Four (4) includes, but is not limited to, the following:

- Monthly court appearances (every four weeks)
- Meet with client specialist in person every 2 weeks, or as directed by the treatment team
- Frequent & Random urine drug screens.
- Attend a minimum of two (2) community support groups (if applicable.)
- Continue to engage with Recovery Support Sponsor (if applicable.)
- Attend group therapy as directed by individualized treatment plan.
- Submit journal entry at court appearance.
- Engage in individual counseling &/or therapy as deemed necessary.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.

To successfully complete Phase Four, participants must have three months (90 days) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan.

## **PHASE FIVE (5)**

Phase Five (5) is designed to last a minimum of one hundred twenty (120) days. Actual program time will vary by participant. Phase Five (5) includes, but is not limited to, the following:

- Monthly court appearances (every four weeks)
- Meet with client specialist in person monthly, or as directed by the treatment team
- Frequent & Random urine drug screens.
- Attend a minimum of two (2) community support groups (if applicable.)
- Continue to engage with Recovery Support Sponsor (if applicable.)
- Attend group therapy as directed by individualized treatment plan.
- Submit journal entry at court appearance.
- Engage in individual counseling &/or therapy as deemed necessary.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.
- Development of a Discharge Plan with client specialist

To successfully complete Phase Five (5), participants must have a minimum of ninety (90) days consecutive of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Participants must also be in compliance with their individualized treatment plan.

## **COMMENCEMENT FROM MENTAL HEALTH COURT**

Prior to the completion of Phase Five (5) the participant will be presented to the Treatment Team to discuss eligibility for Graduation/Commencement. The participant will complete a *Graduation Questionnaire* and return to their client specialist.

Each quarter, or as needed, the MHC Program will hold a formal commencement ceremony to honor those who have successfully completed all phases of the MHC Program. The purpose of this celebration is to recognize the commitment each graduate has made to themselves, their family, and their community to make the necessary changes to be law abiding citizens. Representatives of the community, local and state government, current participants, family members, and partnering agencies are invited to attend and join in the celebration.

Successful completion of the MHC may result in a reduction of court costs, fines and fees, the dismissal of criminal charges, or a reduction in the terms of the graduate's probation period.

## **TERMINATION FROM MENTAL HEALTH COURT**

The MHC is a voluntary program. A participant may voluntarily terminate their participation in the program at any time. The participant should inform their client specialist of their decision to exit the program and the client specialist should present the

information to the Treatment Team. This will result in the participant having a due process hearing or the imposition of the sentence associated with their charges.

Outside of self-termination, participants in the MHC may be terminated as a Treatment Team decision carried out by the Judge. The following situations may result in termination:

- Participant has continually failed to follow the rules of the MHC.
- Participant attempts to adulterate a urine drug screen.
- Participant needs are outside the scope of services provided at the MHC.
- Participant is re-arrested for new criminal charges while in the program.
- Participant knowingly involves another participant in prohibited actions.
- Participant absconds.

## **OTHER MHC POLICIES**

### **PHONE POLICY**

MHC Clients must have a telephone (or cell phone) at client's place of residence to participate in Mental Health Court. While clients are residing at in transitional living, they are to follow the house rules. Therefore, if the placement house has a restriction on cell phones the phone number for the placement house is the contact number for the client. If client does not have a phone, the MHC Team reserves the right to require electronic monitoring at client's expense.

### **ATTENDANCE**

Attendance at court sessions, treatment sessions, medical appointments, mental health appointments, and recovery support meetings is mandatory! Excused absences are the exception, not the rule. Occasionally, participants may be granted excused absences from court, treatment, or other scheduled appointments for the following reasons:

- Severe medical emergencies
- Other court obligations
- Illness (must have a doctor's note)
- Death in your immediate family

Unless you are proven unconscious, you must call your client specialist prior to seeking treatment for any medical emergency, and proof of the emergency must be given for an absence to be excused after non-attendance. In cases of non-emergency illnesses, you must report to the office/meeting first and request to be excused.

In the event of a death in your immediate family, you must call your client specialist or treatment counselor. Proof may be required and if so, a copy of the obituary or some other form of information can be provided. Unexcused absences may result in a sanction if the Judge decides it is necessary.

### **TELEHEALTH POLICY**

If attendance of court, treatment sessions or case management appointments is not an option due to illness, medical quarantine, or death of an immediate family member, participants may be asked to report via teleservices. Mental Health Court is set up to utilize a HIPAA compliant

platform which allow the privacy of all participants. When utilizing teleservices, participants should ensure that they are in a private setting where others cannot overhear. It is recommended that headphones are utilized. During telehealth sessions, participants should be fully clothed and adhere to the same guidelines as if in person at the office.

## **TRAVEL REQUESTS**

Participants may submit a leave request, in writing, for the team to consider once they enter Phase 3. Most requests are only approved for 72 hours. The MHC Team must approve the leave request prior to leave being taken and the following conditions must apply:

- You must be in Phase 3 (or above) of the MHC Program.
- You must attend recovery support meetings during, before and/or after your leave depending on the details of the request.
- You must have an important reason for the leave request.
- You must have approval from the MHC before taking leave.
- You must submit the request in time for the team to discuss it prior to the date of the leave requested (14 days prior). Staffing is held on Tuesdays; leave must be submitted prior to Treatment Team Meeting.
- You must be in compliance with the MHC.
- If you are under the supervision of another agency, you must also be in good standing with that agency and have their approval.
- You must report a drug screen the day prior to leaving and upon your return.
- **You will only be allowed one travel permit per year unless it is deemed emergency travel.**

*\*You are advised not to make reservations of any sort until you have been informed that your Travel Request has been approved.*

## **ANY VIOLATION OF THE TERMS OF YOUR TRAVEL PASS, MAY RESULT IN FUTURE TRAVEL REQUESTS BEING DENIED.**

## **HOUSING PLACEMENTS**

Placements are NOT punishment. They are used to give support for recovery and a safe environment to help with your transition. You may be required to live in a supported transitional housing placement if:

- You do not have a stable, supportive home to go to after your jail release.
- People living in your home use illegal drugs and are under the supervision of the court or other legal issues are present.
- People living in your home are not equipped to assist you with the people, places and things that need to change.
- You need more structure and accountability.
- You request it.
- The Treatment Team determines it is in your best interest.

During your stay at placements, you must:

- Follow all the rules of the placement and MHC.
- Apply to the MHC Team for any overnight or weekend passes. You must be in Phase 3 or above and complete a Travel Request Form with your client specialist.
- Attend MHC status hearings, as scheduled, unless other arrangements are made by our placement and case manager.
- Complete a transitional-living plan with the placement and your client specialist before leaving.
- Submit to all drug screens required by the placement and the MHC Program.
- Engage in treatment and maintain compliance.

### **HOME VISITS**

MHC staff may visit you at your home or place of employment. Home visits may be random. Therefore, it is imperative that the address and phone number provided to the MHC are accurate. During home visits staff may look in cabinets, refrigerators, etc. to ensure that you are adhering to the rules. Please remember that alcohol and drugs are not allowed to be in your residence even if they do not belong to you.

### **TRANSPORTATION POLICY**

Participants must arrange transportation in advance for office visits, treatment, and court. The MHC staff does not have the ability to be the primary mode of transportation. If transportation becomes an issue, you shall immediately notify your client specialist so that all solutions can be examined.

### **CHILDCARE POLICY**

The MHC does not currently provide childcare services to participants. The MHC staff will assist all participants in locating and obtaining adequate childcare services to allow for full participation in the MHC program. In instances where childcare falls through, the participant is responsible for contacting their client specialist to make arrangements for any missed treatment sessions.

### **RECOVERY-SUPPORT MEETINGS**

Recovery-support meetings, such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA), Smart Recovery, or other similar MHC-approved programs are frequently required for those with a history of substance abuse. There are a variety of meetings throughout the city. Your client specialist has a list of locations, meeting dates, and times. You may pick which ones you would like to attend. How many meetings you are required to attend each week depends on what phase you are in, your treatment plan, and the discretion of your client specialist and/or MHC Team. Obtaining and working with a sponsor is part of this requirement. At the meetings you need to:

- Be honest
- Listen to others and be respectful
- Find a Sponsor (as required)
- Gain additional support for your recovery

- Maintain confidentiality

Meeting sheets should be signed at the time of attendance of the recovery support meetings. These meeting sheets should be turned into the assigned client specialist weekly, or as directed. The MHC treatment team will not tolerate the forgery of meeting sheets. If meetings sheets are suspected of being forged, the participant will face a sanction and may have their treatment plan adjusted.

### **WORK, COMMUNITY SERVICE AND/OR SCHOOL**

As part of the Mental Health Court Program, you are required to:

- Maintain gainful employment, and/or
- Complete community service work, and/or
- Supportive day program, and/or
- Enroll in school full-time

You may choose a combination of these, but it must be approved by the Treatment Team. You are required to provide proof of hours worked, hours in school, and/or hours involved in community service. Your client specialist will occasionally check with your employer, school, or community service agency or group to verify your report.

MHC participants who need to address literacy or other education needs for better employment will enroll in classes to address those needs.

The MHC Team may require additional community service hours as a result of:

- A pre-arranged part of your sentence
- Failure to follow MHC rules
- A MHC group project
- Failure to obtain employment

The MHC treatment team will not tolerate the forgery of CSW hours. If documents are suspected of being forged, the participant will face a sanction and may have their treatment plan adjusted.

### **FINANCIAL RESPONSIBILITIES**

You are responsible for meeting all your financial obligations such as:

- Court costs
- Fines
- Restitution
- Probation fees
- Rent or Mortgage costs, transitional housing costs if applicable
- Personal Costs such as housing, utilities, etc.
- Maintain a telephone and make sure the MHC is updated with any changes
- Costs associated with drug screen confirmation or specialty testing.



For court-related costs and fees, unless a specific amount is ordered by the court, payment schedules are to be established with the Davidson County Criminal Court Clerk's Office and documented for the Judge's approval. If the court costs and fees are related to a MHC supervised case, you may be eligible to have those waived upon successful completion of the program. Speak with your client specialist about this.

## **DRUG TESTING**

Random drug and alcohol screening will be required of all participants entering the Mental Health Court program. Drug and alcohol testing will be administered by Averhealth, a third-party vendor, located at 404 James Robertson Parkway, Suite 110, Nashville, TN 37219. All tests conducted are laboratory tests.

**Non-negative drug screen results include positive test results, missed drug screens, tests where an insufficient sample is provided or where the participant is unable to provide a sample. A non-negative result can also mean that a specimen was adulterated (tampered with), substituted or invalid. Test results showing abnormal creatinine are considered a non-negative result.**

Random drug testing protocols include the following:

1. Upon entry into the program, each participant will be assigned a Pin Number for Averhealth. Participants will call the drug screen line **(615) 777-0850** daily after 6am to see if their Phase is called for testing. The drug screen line must be called 7 days per week, 365 days per year. **THERE ARE NO EXCEPTIONS!**
2. Averhealth business hours are from 8:00am-7:00pm Monday-Friday. On weekends and holidays, hours are 10:00a-2:00pm.
3. All specimens will be collected under direct observation, following Averhealth protocol.
4. If a screen is completed by another approved agency, the Mental Health Court office will receive a copy of the drug testing form (unless otherwise approved.) Any outside agency used from drug testing must be pre-approved by the Treatment Team.
5. It is the participant's responsibility to make sure the staff is aware of all medications they are prescribed prior to drug testing (refer to medication policy).
6. It is the participant's responsibility to know if they are called for a screen and to make the appropriate arrangements. Failure to do so is considered a non-negative screen.
7. Participants are required to call the drug screen line daily to see if they have a drug screen. Staff may also contact participants to report for a drug screen. When this occurs, failure to report will be considered a missed screen.
8. It is the participant's responsibility to report to the assigned location at the time given for the test.
9. If the participant is late for a test, or misses a test, it will be considered as a non-negative test for drugs/alcohol and the participant may be sanctioned.
10. If a participant fails to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a non-negative test for drugs/alcohol and they may be sanctioned.
11. If a participant produces a dilute urine sample, it will be considered a non-negative test for drugs/alcohol, and they will be sanctioned.

12. The participant is informed that the ingestion of excessive amounts of fluids can result in a diluted urine sample and they understand that their urine sample will be tested to ensure the sample is not dilute.
13. Participants are informed that substituting or altering their specimen or trying in any way to modify their body fluids for the purposes of changing the drug testing results will be considered as a non-negative test for drugs/alcohol and will result in sanctioning and may be grounds for immediate termination from the program.
14. Participants are informed that the use of creatinine supplements are prohibited while participating in Recovery Court.
15. If a participant is non-negative for any substance that requires a specialized test for confirmation, (e.g. Synthetic Cannabinoids/Synthetic Drugs, Gabapentin, Neurontin, CBD, Wellbutrin, Ketamine, Kratom, etc.) participant may be responsible for the cost of that specialized drug screen.
16. If a participant would like to dispute the results of the initial laboratory testing, the participant is required to pay the additional costs associated at Averhealth.

**Each participant agrees to the following regarding UDS at program intake:**

- All non-negative drug/alcohol screens will be reported to the Treatment Team at the weekly meeting. Non-negative screens may result in a sanction. The Treatment Team will make sanction recommendations to the presiding Judge who will determine the appropriate sanction.
- Using, possessing, or being in the presence of any illegal drugs, drug paraphernalia or alcohol will result in a sanction.
- A participant's final 90 days of drug/alcohol screens must be free of drugs and/or alcohol for that participant to be considered for Graduation/Commencement.

Honesty is the guiding principle for the MHC Program. Therefore, the team may use discretion in determining the sanction or choose not to impose a sanction if the participant self-reports use prior to a non- negative drug screen. The team will consider the following in making this determination:

- Participant personal safety
- Safety issues to the general public or community
- How many sanctions previously imposed
- Treatment compliance and recommendations
- Program and supervision compliance

## **MEDICATION USE**

While in the Mental Health Court, you are expected to see a psychiatrist as directed and take all mental health medications as they are prescribed. While non-addictive medications are preferred, if your psychiatrist feels that certain medications are in your best interest, those may be permitted after receiving a copy of the doctor's treatment plan.

Once in the program, documentation of all medications prescribed by any physician must be on file including any changes in dosage. All medications must be taken as they are prescribed.

**If you are not compliant with your prescription medications, the Treatment Team may require you to take the injectable form of the medication to assist with compliance.**

## APPROVED “OVER THE COUNTER” MEDICATIONS

**Remember, once transferred to the program no over-the-counter medications may be taken without permission!**

The following medications are approved for MHC participants to take without prior approval of the client specialist. This medication MUST be taken for the labeled ailments and at the recommended dose found on the label. Taking more than the recommended dose may result in a positive drug screen. Please make certain that you read the entire label to ensure that there are no additives (i.e Tylenol Cold/ Tylenol PM/ Mucinex DM) that may result in a positive UDS. If you have any questions about a medication, please contact your client specialist.

**FOR PAIN:**  
*(No PM Formula)*

- Acetaminophen (Tylenol)
- Ibuprofen (Advil, Motrin)
- Aspirin (Ecotrin)
- Naproxen (Aleve)
- Excedrin Migraine

**JOINT PAIN:**

- Ben Gay muscle rub &/or thermal patches
- Icy Hot muscle rub &/or thermal patches

**FOR STOMACH:**

- Mylanta
- Milk of Magnesia
- Pepto Bismol
- Pepcid (Famotidine)
- Prilosec (Omeprazole)
- Tums/Roloids

**FLU SYMPTOMS:**  
*(No PM formula)*

- Theraflu
- Alka-Seltzer

**ALLERGY/ COUGH & COLD:**  
*(No “D” or “DM” Formula)*

- Claritin (Loratadine)
- Allegra (Fexofenadine Hydrochloride)
- Zyrtec (Cetirizine Hydrochloride)
- Seldane (Terfenadine)
- Nasal Strips
- Saline Nasal Spray
- Vick’s Vapor Rub

**VITAMINS:**

- Multi-Vitamin
- Pre-natal Vitamin

Your client specialist will tell you what approved medications you may take if you have a cold, headache, or other minor illness. **While under the supervision of the MHC, you are NOT permitted to use CBD products, Delta 8 or Delta 10 products, kratom, products containing poppy seeds, or products containing alcohol.** It is your responsibility to be aware of what you are putting in your body. Please read the full ingredients list on all products. Alcohol is a main ingredient in many over the counter meds, mouth washes and vanilla extract! Failure to report medication (prescribed or over the counter) use prior to a positive drug screen may lead to a sanction.

**THE BOTTOM LINE: The use of any materials (i.e. chemicals, ingestibles, drugs, non-medicinal products, non-FDA approved supplements, etc) that have the potential to interfere with the court's ability to accurately and reliably evaluate or interpret the results of abstinence monitoring/drug testing ARE PROHIBITED.**

### **MEDICATION ASSISTED TREATMENT (MAT)**

Medication-assisted treatment (MAT) is the use of medications in conjunction with counseling and behavioral therapies to treat substance use disorders and prevent opioid overdose. Research shows that a combination of medication and therapy can successfully treat these disorders, and for some people struggling with addiction, MAT can help sustain recovery. MAT is primarily used for the treatment of addiction to opioids such as heroin and prescription pain relievers that contain opiates but may be utilized for the treatment of alcohol use disorder as well. The MHC allows for the use of Naltrexone and Buprenorphine while in the program, if you are under the supervision of a trusted medical professional.

Prior to enrolling in a MAT program, please consult with your client specialist to ensure that you follow the proper protocol. All MAT providers must be willing to provide the MHC with a comprehensive treatment plan surrounding your participation in a MAT program.

### **SANCTIONS AND INCENTIVES**

It is important to understand that part of the recovery process is change and we recognize that change is not always an easy process. This program is designed to deal with issues of non-compliance by issuing sanctions for noncompliance that are determined by the MHC Treatment Team.

Sanctions used by the MHC include, but are not limited to:

- Admonishment
- Meeting with Team
- Designated Community Service Hours
- Writing Assignments
- Increased drug testing
- Increase support group
- Daily check-ins
- Home visits
- Suspension of privileges
- Verbal/Written apology to other participants and court
- GPS monitoring

- Behavioral contract/Probation
- House Arrest or earlier curfew
- Special assignment such as attending full criminal court sessions
- Phase extension
- Restarting of current phase
- Incarceration

Incentives are also used to recognize accomplishments and reward those individuals who are working their program and making forward progress in their recovery.

Incentives used by the MHC include, but are not limited to:

- Certificates for completion of the phases
- Certificates for completion of classes
- Verbal recognition
- Applause from the Judge, Team and others present
- Handshake from Judge
- Waive fees/Fee reduction
- Remove/Reduce sanctions
- Travel privileges
- Leave early from court
- Medallions or coins
- Other tangible rewards

## **PARTICIPANT RESPONSIBILITIES/RIGHTS**

- Participants are not responsible for the emergency transportation or emergency medical care of other program participants in the case of an emergency
- Participants are not responsible for the care of other program participants
- Participants are not responsible for the supervision of other program participants
- Participants are not required to access confidential information for the completion of any program related task
- Participants of the MHC have the right to treatment regardless of race, creed, national origin, religion, sexual preference/orientation, and/or gender.
- Participants have the right to considerate, respectful care with recognition of their personal dignity and individuality. Internal policies will ensure that each participant is given respect and consideration and will be protected from all forms of exploitation. No verbal, physical, fiduciary or psychological abusive behavior is allowed by the MHC at any time.
- Participants have the right within law to personal and informational privacy as covered under Federal Confidentiality (42 CFR part 2) and Health Insurance Portability and Accountability Act of 1996 (HIPAA) (45 CFR parts 160 & 164) regulations
- Participants have the right to refuse to see or talk with anyone not officially connected with the MHC
- Participants have the right to expect his/her treatment records to be kept in a locked file, accessible only to those involved in his/her treatment or those responsible for

monitoring treatment quality

- Participants have the right to expect his/her presence and activities to be totally confidential unless he/she gives permission otherwise
- Participants have the right to expect reasonable safety; Every reasonable effort will be made to ensure a participant's safety
- Participants have the right to be fully informed upon admission about their rights and responsibilities and about any limitations on these rights, which might be imposed by the rules of the MHC
- Participants have the right to be assisted by the MHC and exercise their civil rights
- Participants have the right to be free of any requirements by the MHC that are ordinarily performed by the staff
- Participants have the right to privacy and freedom in the use of the restroom (except when submitting a direct observation urine drug/alcohol screen)
- Participants may request from the MHC staff a review of their personal record in order to correct any false information
- Participants have the right to contact outside legal, medical and advocacy services
- Participants have the right to not be involved in any on-site research projects
- Participants have the right to voice grievances to the MHC staff, to and to outside representatives of their choice with freedom from restraint, interference, or discrimination
- Participants have the right to be treated with consideration, respect, and full recognition of their dignity and individuality
- Participants have the right to be protected by the MHC from neglect; from physical, verbal, and emotional abuse (including corporal punishment), and from all forms of exploitation
- Participants have the right to participate in the development of their individual program plans and to receive sufficient information about proposed and alternative interventions and program goals to enable them to participate effectively

## **TITLE VI**

The Mental Health Court assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity. The MHC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether these programs are federally funded or not.

If you believe that you have been aggrieved by an unlawful discriminatory practice by an employee of the Mental Health Court program under Title VI, you have the right to file a formal complaint. Any such complaint must be in writing and filed with Mark Winslow (615) 862-8320.

## **RELEASES OF INFORMATION & CONFIDENTIALITY**

The program's policy on participant confidentiality and the need for releases of information should be clearly explained. Participants should be assured that their information is protected and will only be utilized for the intended purpose of the MHC program.

## **GRIEVANCE PROCEDURES**

Every effort should be made to resolve issues within the Mental Health Court before a written grievance is filed. All active Mental Health Court participants may file a grievance, by requesting the *Grievance Form* from the Mental Health Court staff. A completed grievance form will be reviewed by the following until it is resolved:

1. Assistant Director of Mental Health and Veterans Treatment Courts
2. Director of Mental Health and Veterans Treatment Courts, Title VI Coordinator

A meeting will be held with the participant within five (5) business days of the filing of a grievance.

Certain matters are subject to grievance by a participant and certain matters are not. The following ARE examples of matters that are appropriate for filing a grievance:

- Abusive/distasteful language directed specifically at the participant and/or his/her family;
- Physical/sexual abuse or harassment; and/or
- Conflicts of interest, such as the MHC staff receiving personal benefit from actions which he/she directs of the participants.

The following are examples of matters that ARE NOT accepted for grievance:

- Mental Health Court Policies & Procedures, rules & regulations

**PARTICIPANTS MUST FILE GRIEVANCE WITHIN 45 DAYS OF THE ALLEGED INCIDENT; OTHERWISE, THE GRIEVANCE DOES NOT APPLY**

If you feel as though you have been the victim of retaliation by MHC, you may contact the Tennessee Department of Mental Health and Substance Abuse Services at (800) 560-5767.

## **CONCLUSION**

The MHC Program is dedicated to supporting you through the cooperation and collaboration of the Judge, prosecutor, defense counsel, client specialists, peer specialist, mentors, and an array of local service providers to increase the odds of a successful outcome. Our hope is that we can be a positive support in your journey to recovery.

## Acknowledgements/ Consents

### Please initial the following:

- \_\_\_\_\_ I acknowledge receipt of the MHC Participant Handbook.
- \_\_\_\_\_ The material contained in the MHC Participant Handbook has been explained to me verbally. All of my questions have been answered, and I freely and voluntarily choose to participate.
- \_\_\_\_\_ I understand that MHC staff maintain office hours from 8:00a-4:00p and will not be reachable outside of those hours.
- \_\_\_\_\_ I was given a list of my rights as a participant of MHC.
- \_\_\_\_\_ I authorize the MHC Treatment Team whose members include representatives from: Davidson County Public Defender's Office, Davidson County District Attorney's Office, Tennessee Department of Mental Health and Substance Abuse Services, Judge Blackburn and members of the Davidson County MHC to discuss my case openly as part of treatment planning, but to maintain the upmost of confidentiality with my personal information.
- \_\_\_\_\_ I authorize MHC Staff to contact me, if needed, by way of text message on my personal phone. I understand that texting will not be utilized for counseling purposes.
- \_\_\_\_\_ I understand that MHC staff can require a UDS at any time.
- \_\_\_\_\_ I understand that dilute urine samples will be counted as a positive urinalysis and treated as such.
- \_\_\_\_\_ I understand that I am responsible for any substances that I choose to put in my system. If there are any questions about whether a medication or similar product is approved, I will ask my client specialist.
- \_\_\_\_\_ I understand that MHC staff can visit me at my home or place of employment.
- \_\_\_\_\_ I understand that MHC staff can conduct a search of my home during home visits.
- \_\_\_\_\_ I agree to follow the guidelines surrounding the use of telehealth services when unable to attend treatment sessions in person.
- \_\_\_\_\_ I have been provided with my Title VI rights and any questions pertaining those rights have been answered.
- \_\_\_\_\_ I understand that my outside support group requirements change throughout my time in the program and that I am responsible for obtaining valid signatures confirming that I am attending these outside meetings. I understand that forging signatures is a sanctionable action.
- \_\_\_\_\_ I understand that the information in this handbook may change as new mandates are released by state and federal regulatory agencies, the treatment team makes adjustments, or funding changes occur.

\_\_\_\_\_  
Signature of participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of witness/staff

\_\_\_\_\_  
Date