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| **APS-Emergency Protective Placement**  **Policy:  Procedure:** | [**AGENCY LOGO OR NAME HERE]** |

1. **Document Statement :**
   * The Adult Protective Services (APS) Program will initiate emergency protective placement interventions in appropriate/at risk situations.
2. **Purpose:**
   * To ensure the safety of adult residents of [insert your county/agency name] that require intervention to assure their safety and that meet legal incompetency standards.
   * Fulfillment of Adult-at-Risk/Adult Protective Services Agency responsibilities.
3. **General Procedure**

**Assessment:**

* + Upon referral of case or during the investigation of an adult at risk case it assessed that an imminent life threatening risk or likely serious injury are present along with assessed likely permanent incompetency (from observation and any collateral information available), appropriateness of an emergency detention should be evaluated.
    - The risk is required to be serious and the threat likely to cause irreparable injury or death.
    - Reports and observations of others are admissible as a basis of the detention.
    - Observations as to basis of determination of likely incompetency should be carefully documented.
    - Physician’s statement or endorsement of incompetency is obtained if at all possible.
      * If not attained at time of detention, needs to be secured before probable cause hearing/filing of petition for guardianship/protective placement.
    - Circumstances should be reviewed with appropriate county legal representation if at all possible.
    - Voluntary Services should always be offered and attempted first.
  + Determine the level and type of intervention needed – services vs. placement.
    - Identify providers or appropriate detention facility for placement.
      * Placement choices will vary by circumstance – medical need, supervision need, cooperativeness, acuteness of circumstances, etc.
      * County Emergency Protective Placement Location

–residential and Crisis CBRF.

**EPP Process:**

* Complete Statement of Emergency Protective Placement (GN-4000). Include all circumstances leading to emergency and placement need – focus especially on danger of situation and imminent risk.
* Arrange transport of client to facility.
* Assess if natural transportation options are appropriate or utilize law enforcement for transport.
* Complete Notification of Rights upon Emergency Protective Placement (GN4010). This notice needs to be served at the time of placement to the person protectively placed (by APS Rep or person at placement facility).
* File statements with the court, copies for APS, and the placement facility.
* Complete petitions for guardianship and protective placement for filing along with the EPP statements or as soon as they can be completed-but prior to the 72 hour hearing. If there is limited information, provide all information that currently is available.
* Notify appropriate county legal representation.
* Assure that hearing is scheduled within 72 hours (not counting legal holidays or weekends).
* Identify a Temporary guardian (family or friend) or obtain a non-relative guardian option.
* Prepare petitions for guardian and protective placement along with legal representation. (Gathering all information needed for the petition).
* Prepare for hearing.
  + Assist in determining witnesses – work with legal representation.
  + Obtain statements of acts form proposed temporary guardian.
* Attend hearing and provide testimony.
* If probable cause found, work on establishing permanent guardianship/PP as per policy (to be held 30 days after probable cause hearing).

**References:**

* WI State Statute 55 & 54