



OFFICE OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES BULLETIN

ISSUE DATE:

May 27, 2025

EFFECTIVE DATE:

May 27, 2025

NUMBER:

OMHSAS-25-02

SUBJECT:

Voluntary and Involuntary Commitment Forms

BY:

A handwritten signature in black ink that reads "Jennifer S. Smith".

Jennifer S. Smith Deputy Secretary
Office of Mental Health and Substance Abuse Services

SCOPE:

County Mental Health/Intellectual Developmental Disability (MH/IDD) Offices and facilities that conduct voluntary and involuntary commitment evaluations under the Mental Health Procedures Act.

PURPOSE:

The purpose of this bulletin is to announce that the Department of Human Services (Department) Office of Mental Health and Substance Abuse Services (OMHSAS) has revised forms for voluntary and involuntary commitment evaluations. These revised forms include:

- MH 781 Consent For Voluntary Inpatient Treatment,
- MH 783 Application for Involuntary Emergency Examination and Treatment,
- MH 783A Explanation of Rights under Involuntary Emergency Treatment,
- MH 783B Explanation of Warrant,
- MH 785 Petition for Involuntary Treatment (Sections 304 and 305), and
- MH 788 Petition to Transfer for Persons in Involuntary Treatment (Section 306).

In addition, the bulletin creates a unified procedure for updating all forms utilized under the Mental Health Procedures Act (MHPA) to ensure consistency of the forms statewide.

BACKGROUND:

The MHPA Section 112 authorizes the Department to issue forms in order to carry the requirements of the Act. The Department issued forms and identified such forms in 55 Pa. Code § 5100.41. This chapter specifically identifies forms MH 781, MH 783, MH 783A, MH 783B, MH 785, and MH 788 that are being revised by the Department.

Over the years, counties have used different customized versions of the MH 783 statewide form. The existence of multiple versions of a form with the same state-issued number has

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Office of Mental Health and Substance Abuse Services, Bureau of Policy, Planning and Program Development, P.O. Box 2675, Harrisburg, PA 17105. General Office Number 717-772-7900

resulted in a great deal of provider confusion, especially when an individual who is the subject of the 302 warrant is transported to a provider across county lines.

DISCUSSION:

OMHSAS is issuing an updated version of the MH 783, MH 783A, MH 783B, MH 785, and MH 788 forms that are to be utilized by all counties and facilities when conducting an involuntary commitment process. In addition, OMHSAS is issuing an updated version of the MH 781 form which is also utilized by all counties and facilities when conducting a voluntary commitment process.

Specifically, the revisions that are being made to each form include:

- *MH 781 Consent For Voluntary Inpatient Treatment* - This form has been updated to comply with Act 65 of 2020 allowing minors ages 14-17 to consent to mental health treatment; general language has been updated.
- *MH 783 Application for Involuntary Emergency Examination and Treatment* – This form has been updated to revise the instructions to add clarity, to add information on the penalty for falsification, to clarify standard responses to The Patient's Rights acknowledgment, and to provide an option to indicate acceptance of voluntary treatment following a Physician's Examination.
- *MH 783A Explanation of Rights under Involuntary Emergency Treatment* – This form has been updated to change the term "Department of Public Welfare" to "Department of Human Services." In addition, this form has been amended from 72 hours to 24 hours for the longer more detailed version of Department of Human Services Regulations on rights to be provided to the individual receiving services.
- *MH 783B Explanation of Warrant* – This form has been updated to clarify when a physician must complete the evaluation, the period of time that an individual may be held pursuant to the warrant, and the circumstances that necessitate conduct of a court hearing.
- *MH 785 Petition for Involuntary Treatment (Sections 304 and 305)* – This form has been updated to modernize terminology within the form. In addition, this form name has been changed from "Mental Health Procedures Act of 1976 (Sections 304 and 305) (MH 785)" to "Petition for Involuntary Treatment" to align with the name of the form in § 5100.41 (relating to forms). A signature line for the Judge, or mental health review officer that conducted the hearing has also been added to the form.
- *MH 788 Petition to Transfer Persons in Involuntary Treatment (Section 306)* – This form has been updated to modernize language within the form.

PROCEDURES:

These newly issued forms cannot be altered in any way by any entity. In addition to the newly issued forms, forms MH 784, MH 785, MH 789, MH 789 A, MH 789 B, MH 790, MH 791, MH

792 and MH 793 that are used for Assisted Outpatient Treatment and identified in bulletin OMHSAS-19-04 *Guidelines for Implementing Assisted Outpatient Treatment* are not to be altered in any way by any entity.

All counties are mandated to utilize the state issued version of the forms. All previous modifications to the forms approved by OMHSAS are obsoleted effective upon the effective date of this bulletin. OMHSAS will no longer be providing county-specific approvals to alter forms. Any future requested modifications to these forms may be submitted by county mental health administrators by June 1st of each year to be considered by OMHSAS on an annual basis. Requested modifications to the forms can be sent to the following email: RA-PWOMHSASWAIVERS@pa.gov.

County MH/IDD Offices and facilities may elect to digitize the forms for use in electronic health records, but digitized forms must be identical to the OMHSAS issued statewide forms. The ability to transmit and store medical records electronically was not anticipated at the time the MHPA was enacted; as such, it is silent to such transmittal or storage. OMHSAS recognizes the need for forms to be transmitted and stored electronically. However, such transmittal is limited to the Health Insurance Portability and Accountability Act secure transmission portals that ensure the privacy of the information contained within the forms.

All forms will be made available through the Department's website located at: <https://www.pa.gov/agencies/dhs/resources/for-providers/form-search.html>. Client-facing forms (MH 781, MH 783A, MH 783B, MH 789, MH 789 A, MH 789 B, and MH 792) will be provided in English, as well as in the five most common non-English languages among Medical Assistance beneficiaries in the Commonwealth: Spanish, Mandarin Chinese, Nepali, Russian, and Arabic.

OBSOLETE BULLETIN:

All prior versions of the MH 781, MH 783, MH 783A, MH 783B, MH 785, and MH 788 forms are obsolete, including any OMHSAS approved county-specific versions of the forms.

ATTACHMENTS:

Consent For Voluntary Inpatient Treatment (MH 781), Application for Involuntary Emergency Examination and Treatment (MH 783), Explanation of Rights under Involuntary Emergency Treatment (MH 783A), Explanation of Warrant (MH 783B), Petition for Involuntary Treatment (Sections 304 and 305) (MH 785), and Petition to Transfer Persons in Involuntary Treatment (Section 306) (MH 788).