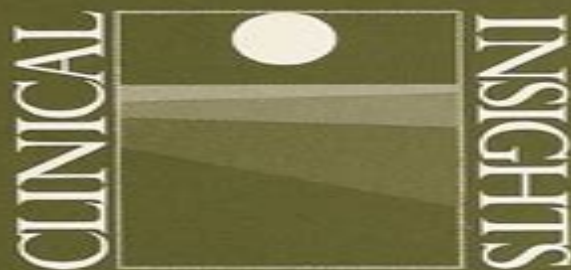


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The Potentially Violent Patient and the *Tarasoff* Decision in Psychiatric Practice

Edited by
JAMES C. BECK, M.D., Ph.D.

Potentially Violent Patient And The Tarasoff Decision In Psychiatric Practice

Christina E. Newhill



Potentially Violent Patient And The Tarasoff Decision In Psychiatric Practice:

The Potentially Violent Patient and the Tarasoff Decision in Psychiatric Practice James C. Beck, 1985 Clinical Manual of Psychiatry and Law Robert I. Simon, Daniel W. Shuman, 2007-04-02 In their latest collaboration Clinical Manual of Psychiatry and Law noted forensic psychiatrist Dr Robert Simon and legal scholar Daniel Shuman both recipients of the Guttmacher Award have created a unique practical reference to enable psychiatrists to transform the impact of the law on their clinical practices from an adversary to a working partner In lieu of scare tactics or horror stories Dr Simon and Professor Shuman clearly explain not only what the law requires and why but how best to integrate its requirements to enhance clinical practice and reduce the risk of successful tort claims They have written a clear comprehensible and accessible volume that will guide practitioners through the thickets of the law and benefit their clinical practices This volume covers a wide range of topics from confidentiality privilege informed consent and the right to refuse treatment to treatment boundaries involuntary hospitalization seclusion and restraint management of violent as well as suicidal patients and the additional requirements which apply to the treatment and evaluation of minors or persons with mental disabilities It also includes the tort i e negligence intentional harm claims that arise from a breach of the law s expectations The content reflects the latest legal precedents concerning such topics as Establishment of the doctor patient relationship and liability for damages caused by its breach including new rulings governing confidentiality and testimonial privileges Case law regarding informed consent especially the issue of competency when dealing with minors or persons with mental disabilities New rules and regulations restricting the use of seclusion and restraint Guides to the most recent laws regarding involuntary hospitalization and emergency commitment Insights into recent state court decisions concerning disclosures by therapists of threats of harm by patients against others including such issues as conflicts between the duty to maintain confidentiality and the duty to protect Reviews of recent legislation proscribing sexual misconduct or prosecuting sexual exploitation of patients under existing rape or sexual assault laws Clinicians will find this wealth of knowledge immediately practical and lawyers will appreciate its in depth treatment of complex psychiatric issues With extensive references and a glossary of legal terms Clinical Manual of Psychiatry and Law deserves a place among the top legal references for mental health professionals

Management of Violent Behavior American Psychiatric Association, Thomas Kidd, Kernberg, 1988-09-01 The is a compilation of articles from *Hospital and Community Psychiatry* on the management of the violent patient *Client Violence in Social Work Practice* Christina E. Newhill, 2004-01-28 Presenting practical strategies for violence assessment and prevention that are grounded in solid empirical research this book guides social work practitioners and students to provide state of the art treatment to aggressive clients while reducing violence risks Effective methods are described together with specific recommendations for approaching engaging and intervening with potentially violent clients in both office and field settings Skills development exercises case analyses and guidelines for developing and implementing an agency safety plan

enhance the book's utility as a training text and professional resource

Legal Issues in Mental Health Care B.A. Weiner, R. Wettstein, 2013-06-29

OVERVIEW Legal Issues in Mental Health Care is aimed at the mental health clinician who provides services on either an inpatient or an outpatient basis. It is written for psychiatrists, psychologists, social workers, nurses, and other therapists to help them understand and manage legal issues in their daily practice. The issues covered apply to therapists who work for an agency or hospital as well as those who work independently. The book is meant to serve as a handbook but it also provides a quick resource as legal questions arise which are related to the obligations of the therapist. It addresses the legal issues that confront the clinician. It is not aimed at the clinician who specializes in forensic mental health issues because the information provided does not reach that level of detail or sophistication. Nor is it aimed at the scholar because our goal is to provide practical information in a clear and concise format. We have not addressed the wide array of laws protecting the mentally disabled from discrimination, most notably the Americans with Disabilities Act 1990 and the Fair Housing Act. Most states also have laws that prohibit discrimination in employment services and housing. These issues are beyond the scope of this book because we are addressing the legal issues that arise in providing care rather than the rights of mentally disabled persons.

11 ORGANIZATION OF THE BOOK The book consists of eleven chapters and a Glossary of Legal Terms

Principles and Practice of Forensic Psychiatry, 2Ed Yasuhiro Monden, 2003-02-28

The second edition of this award-winning textbook has been thoroughly revised and updated throughout. Building on the success of the first edition, the book continues to address the History and Practice of Forensic Psychiatry, Legal Regulation of the Practice of Psychiatry, Psychiatry in relation to Civil Law, Criminal Law, and Family Law, and Important

Violence And Suicidality : Perspectives In Clinical And Psychobiological Research Herman M. Van Praag, Robert Plutchik, Alan Apter, 2014-07-22

First published in 1990, this monograph series published under the auspices of the Department of Psychiatry of the Albert Einstein College of Medicine, Montefiore Medical Center, is meant to keep track of important developments in the profession of psychiatry, to summarize what has been achieved in particular fields, and to bring together the viewpoints obtained from disparate vantage points in short to capture some of the excitement ongoing in modern psychiatry, both in its clinical and experimental dimensions. Violence and suicidality have always been major public health issues, but it is only fairly recently that they have become the focus of some major clinical and biological research efforts. This is due partly to a large increase in suicide and homicide rates in the young, and partly to a realization that effective management of psychiatric patients cannot be based on categorical diagnosis alone but requires an understanding of the patient's entire behavioral profile. This volume attempts to describe some of the most important advances in the psychobiological understanding of the behavioral dimensions of suicide and violence that have been made over the last 10 years. It is comprised of papers presented at two symposia held under the auspices of the department of psychiatry of Albert Einstein College of Medicine that were devoted to the topics of violence and suicide

Principles and Practice of Forensic Psychiatry, 2Ed Richard Rosner, 2003-02-28

The

second edition of this award winning textbook has been thoroughly revised and updated throughout Building on the success of the first edition the book continues to address the History and Practice of Forensic Psychiatry Legal Regulation of the Practice of Psychiatry Psychiatry in relation to Civil Law Criminal Law and Family Law Importan **Law in the Practice of Psychiatry** Seymour L. Halleck, 2012-12-06 Once upon a time only forensic psychiatrists had much to do with law and the legal system Now hardly a day passes in the life of a clinician without some significant encounter with the interface between the law and the practice of psychiatry That interface extends all the way from the general regulation of clinical practice to the specifics of clinical management of individual patients It includes like the chapters of this book such important topics as informed consent right to treatment privilege and confidentiality patients rights competency psychiatric testimony malpractice and liability Dr Halleck is one of the professions most distinguished thinkers and authors in the field of psychiatry and law and is this year's recipient of the coveted Isaac Ray Award of the American Psychiatric Association Having spent his entire academic and professional life deeply involved in the clinical practice of psychiatry he is particularly well suited to understand and respond to the clinician's need for a clear and concise elucidation of those areas of psychiatry and law which are involved in the daily work of psychiatrists and all mental health professionals *Treatment of Stress Response Syndromes* Mardi Jon Horowitz, This is a comprehensive clinical guide to treating patients with disorders related to loss trauma and terror Author Mardi J Horowitz M D is the clinical researcher who is largely responsible for modern concepts of posttraumatic stress disorder PTSD He reveals the latest strategies for treating PTSD *Advanced Introduction to Mental Health Law* Michael L. Perlin, 2021-01-29 Written by esteemed legal scholar Michael L Perlin this indispensable Advanced Introduction examines the long standing but ever dynamic relationship between law and mental health The author discusses and contextualises how the law primarily in the United States but also in other countries treats mental health intellectual disabilities and mental incapacity giving examples of how issues such as the rights of patients the death penalty and the insanity defense permeate constitutional civil and criminal matters and indeed the general practice of law **Violence in Psychiatry** Katherine D. Warburton, Stephen M. Stahl, 2016-04-28 The association between violence and mental illness is well studied yet remains highly controversial Currently there does appear to be a trend of increasing violence in hospital settings including both civilly and forensically committed populations In fact physical aggression is the primary reason for admission to many hospitals Given that violence is now often both a reason for admission and a barrier to discharge there is a pressing need for violence to be re conceptualized as a primary medical condition not as the by product of one Furthermore treatment settings need to be enhanced to address the new types of violence exhibited in inpatient environments and this modification needs to be geared toward balancing safety with treatment This book focuses on violence from assessment through underlying neurobiology to treatment and other recommendations for practice This will be of interest to forensic psychiatrists general adult psychiatrists psychiatric residents psychologists psychiatric social workers and rehabilitation

therapists *ADAMHA News on Alcohol, Drug Abuse, and Mental Health* ,1986 **Treatment of Offenders with Mental Disorders** Robert M. Wettstein,2000-02-15 This volume presents current treatment approaches for offenders with mental disorders in a variety of settings After reviewing administrative and legal issues in the provision of care the volume addresses therapeutic work with inpatients outpatients and incarcerated persons Separate chapters cover special issues in treatment of sexual offenders offenders with mental retardation and juvenile offenders Throughout the approaches featured are interdisciplinary and eclectic incorporating biological and psychological perspectives This volume will be of use to mental health practitioners as well as legal professionals in criminal justice and mental health law **Core Readings in Psychiatry** Michael H. Sacks,William H. Sledge,1995 Core Readings in Psychiatry Second Edition stands as an essential text for the academic The contributors are distinguished experts who have a firm grasp of the relevant and classical citations in specific areas of psychiatry In the intervening 8 years since the first edition the profession s knowledge base has changed immensely Included in this second edition are numerous citations and new topics such as AIDS neuropsychiatry models of psychoanalytic thought child development and medical economics The book will open bibliographic doors for the academician as well as for the provider manager and consumer of psychiatric services and knowledge It is designed to be an introduction and guide to the entire psychiatric literature **ADAMHA News** ,1984 *Psychiatric Malpractice* Robert I. Simon,Robert L. Sadoff,1992 What are the facts about psychiatric malpractice Is it increasing If so how rapidly What areas of psychiatric practice pose higher risks of legal liability The anxieties and uncertainties created by the increased threat of being sued for malpractice can interfere with the psychiatrist s provision of good clinical care Through a general overview as well as a discussion of specific legal cases this volume presents the major malpractice traps encountered in everyday psychiatric practice *Almost a Revolution* Paul S. Appelbaum,1994 Doubts about the reality of mental illness and the benefits of psychiatric treatment helped foment a revolution in the law s attitude toward mental disorders over the last 25 years Legal reformers pushed for laws to make it more difficult to hospitalize and treat people with mental illness and easier to punish them when they committed criminal acts Advocates of reform promised vast changes in how our society deals with the mentally ill opponents warily predicted chaos and mass suffering Now with the tide of reform ebbing Paul Appelbaum examines what these changes have wrought The message emerging from his careful review is a surprising one less has changed than almost anyone predicted When the law gets in the way of commonsense beliefs about the need to treat serious mental illness it is often put aside Judges lawyers mental health professionals family members and the general public collaborate in fashioning an extra legal process to accomplish what they think is fair for persons with mental illness Appelbaum demonstrates this thesis in analyses of four of the most important reforms in mental health law over the past two decades involuntary hospitalization liability of professionals for violent acts committed by their patients the right to refuse treatment and the insanity defense This timely and important work will inform and enlighten the debate about mental health

law and its implications and consequences The book will be essential for psychiatrists and other mental health professionals lawyers and all those concerned with our policies toward people with mental illness **Insanity on Trial** Norman J.

Finkel,2012-12-06 The insanity defense debate has come full circle again The current round began when John Hinckley opened fire in 1981 it was Daniel M Naghten who pulled the trigger the acts of both would be insanity acquittees provoked the press the populace a President and a Queen to expressions of outrage and triggered Congress the House of Lords judges jurists psychologists and psychiatrists to debate this most maddening matter Insanity which has historically been surrounded by defenses defenders and detractors found itself once again under siege on trial and undergoing rigorous cross examination Treatises were written on the subject testimony was taken and new rules and laws were adopted The dust has settled but it has not cleared What is clear to me is that we have got it wrong once again The full circle analogy and historical parallel to M Naghten 1843 warrant some elaboration Hinckley's firing at the President captured by television and rerun again and again rekindled an old debate regarding the allegedly insane and punishment Caplan 1984 Maeder 1985 Szasz 1987 a debate in which the insanity defense is centrally situated The smolderings ignited anew when the Hinckley 1981 jury brought in its verdict not guilty by reason of insanity NGRI *Medical Negligence: Non-Patient and Third Party Claims* Rachael

Mulheron,2016-04-29 Healthcare professionals face an increasing threat of litigation from parties whom they have never met in their daily medical practice and who look nothing like the traditional patient The so called non patient may take many forms for example a person who is injured or killed by a mentally ill physically disabled or diseased patient a wrongfully accused parent in a child neglect abuse case or a local authority which is put to the expense of caring for a negligently treated patient This book explores the legal principles and conundrums which arise when determining a healthcare professional's liability in negligence towards a wide variety of non patients The topic is assuming increasing legal importance and relevance given the potential for many non patient claims to give rise to class actions litigation and in light of the legislative and human rights interventions and the frequent appellate judicial consideration which non patient claims have attracted in recent times The aim of the book is to have utility for both legal and medical professionals for academics and students of comparative medical negligence and tort law and for law reformers who may be interested in adopting certain features of statutory models elsewhere which pertain to some non patient claims such as those based upon Good Samaritan conduct Important parallels or counterpoints from other common law jurisdictions in which courts and commentators have grappled with the legal complexities of non patient claims are also discussed and critically analyzed

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