

MENTAL HEALTH SCREENING

WILDERNESS RISK MANAGEMENT CONFERENCE

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ABOUT THE PRESENTERS

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 - Private Practice
- **Ann McCollum, MEd, JD**
 - Attorney, general practice and civil defense
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 - WFR/WEMT trained
 - 20+ years classroom and outdoor educator
 - NOLS Graduate (Instructors Course, Alaska Mountaineering)



LEGAL DISCLAIMER

Ann is an attorney licensed to practice law in New Mexico and pending in Colorado. The information she is providing here is *not* legal advice and does not constitute a legal relationship or engagement.

For legal counsel, consult with an attorney familiar with your program and the laws in your state.



ACTION STEPS

- Identify the **purpose and intent** of your screening and the information needed from applicants that is congruent with that purpose -- eliminate questions from your screening protocol that do not support its purpose and intent.
- Identify areas of **sensitivity and privacy** in your enrollment/application process and craft appropriate mental health related language/questions for screening interviews.
- Identify areas of your enrollment/application process that are subject to the **relevant laws** discussed in this session and work with an attorney familiar with your state's and federal laws to review your application and screening process.
- Plan time to **educate and train** your staff on mental health and privacy issues.



OBJECTIVE

Add to the national conversation

on complexities of screening in wilderness

and international programming,

and in particular mental health screening.



IDENTIFYING SCREENING PURPOSE

WHAT'S YOUR MISSION?

Steering screening tools to address organization goals:

- “Goodness of fit” for participant and program
- Decreasing evacuation and early department in the field
- Protecting programs and other participant’s expedition by decreasing extreme behaviors in the field
- Raising awareness in parents and participants about what the program does and does not offer
- Participating with industry standard to have some form of screening tool
- **Build capacity in staff for mental health issues screened on to the course**



WHY IS THE WILDERNESS A GREAT PLACE TO HAVE MENTAL HEALTH ISSUES?

Environmental Stressors

Medication changes

Intense and continuous contact with peers

Lack of distraction

Technology withdrawal

Silence as the unfamiliar foe

Lack of coping skills, available structures

Stress induced mental health crisis

Loss of social connectedness (FOMO)



NORMAL PROGRAMMATIC SCREENING VARIANCE

Professional Screening Staff
6 months prior to expedition
Multi-page review of capacity



“Day of’ Waiver
One page health form



Signed
physician
form



WHAT MAKES **MENTAL HEALTH** CHALLENGING IN SCREENING LANDSCAPE?

- Difficult to obtain objective findings or prognosis – no blood test for depression
- Stigma of mental health diagnosis among peers and parents
- Capacity for decompensation in the field with serious consequences
- Sensitive and sometimes personal questions
- **Sub-clinical presentation that do not trigger reporting by diagnosis**
- Cultural mismatch between questioning and true behavioral issues
- Participant fears that they will be screened of course for mental health reasons



DUTY OF CARE

General duty

Duty to minors

Assumed Duty

Special relationship



PRIVACY

- FERPA (Family Education Rights and Privacy Act)
 - Applicability – educational institutions receiving federal funds
 - Rights are owned by the parent and student age 18 or over
 - Protects **disclosure** of **education records** held by school/education program
 - Education record means mental health records, except if 18 over
 - Generally requires consent to disclose, except in health or safety emergencies
 - School must provide notice of FERPA rights and keep a record of disclosures

Slander, libel and confidentiality



PRIVACY

- PPRA (Protection of Pupil Rights Amendments)
 - Applicability – school districts, charter schools, states, and recipient of funds from the US ED
 - Rights are owned by parent and student age 18 or over
 - Invoked when personal information is **collected** from a student
 - Generally requires consent prior to required surveying
 - Schools must develop policies, provide notice and opportunity to opt out

- HIPPA (Health Insurance Portability and Accountability Act)
 - Applicability – providers of medical services



THE INFORMATION PARADOX

Pitfalls: The program is responsible for the information the program gathers.

AND

Pearls: Often, the more info, the more specific, the better

Choose specifics over general information:

- i.e. check box yes no and explain
vs.
- Have you ever experienced a mental health emergency, if so, explain.

You are responsible for the information you gather.



REASONS FOR UNDERREPORTING

- Parents unaware of the scope of the activity
- Presentation has not met diagnostic criteria or required provider visit
- Parental hopes that the program will rehabilitate their kid
- Parental motivation to involve kids on course 'come what may'

What's the participant perspective?



AMERICANS WITH DISABILITIES ACT (ADA)

Title III of the ADA prohibits discrimination of a person with a disability “in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation.”

- Discrimination
- Who has legal rights under the ADA?: A participant/applicant with a **disability** who is otherwise qualified to participate in your program.
- Disability: Physical or **mental impairment** that **substantially limits** a **major life activity**.
- Applicability
 - Title III – private entity that is a **“public accommodation”**
 - ADA provides 12 categories of private entities including place of lodging, establishment serving food or drink, place of exercise or recreation, place of education
 - Industry standard



ADA

- Determine whether applicant has a disability (Can I ask that?!)
 - Determine the need for modifications.
 - Questions asked about criteria necessary to provide the program or service.
- Determine whether applicant can participate in your program *without* a modification.
- Determine whether a participant can participate with a **reasonable modification**.
 - Identify potential reasonable modifications
- Determine whether modifications are or would:
 - Be an undue burden on your program
 - Fundamentally alter the nature of the program
 - Be a direct threat to the safety of the participants
- Consult and document.



ADA

- Program non-discrimination policy
- Essential Eligibility Criteria – applied to *all* participants.
 - Identify the mental health *abilities* needed to participate in the program.
 - Couple with accurate and detailed *program descriptions* outlining the types of activities, remoteness of the program, anticipated weather, weight of pack, lack of privacy, close quarters, no access to technology, etc.
- Staff training and education
- Outside resources including mental health professionals and legal counsel
- Engage: Develop a relationship and a conversation with potential participants

- Equal treatment and integrated access
- These practices are just *good* practices!



THOUGHTFUL QUESTIONS



- Health Screening questionnaire
 - School performance (Three words teachers use to describe you)
 - Responses/reactions to changes in environment or transitions
 - Do you identify as male, female, other _____ (please specify)
 - Is there anything specific to your identify you'd like to share?
 - Available coping skills
 - *How do you support yourself when you are sad or angry?*
 - *What tools will be available to you in the wilderness or remote setting?*
 - Any recent significant changes or challenges, stresses such as divorce, death, changes at school?
 - Ask parent (open-ended questions to elicit info): "What concerns do you have about your child?"
 - Describe any limitations to your child's ability to participate in the program?
 - Disruptive or challenging behaviors in school or home?
 - Have you ever been so sad or mad that you hurt yourself on purpose or thought of killing yourself?



THOUGHTFUL QUESTIONS- MEDICATIONS

- Please list all the medications prescribed to you (or your child) in the past year?
- Please list reason medications were stopped
- What is the target of the medication?
- Please include a plan for missed doses?
- Is the medication heat or cold sensitive, or a scheduled substance?

INVOLVING PARTICIPANT'S PROVIDERS

- Ensure providers have adequate understanding of the stressors, demands and activity requirements of individual programs applied for
- Consider providing the capacity's necessary to participate (flexibility, distress tolerance, complex decision making, maturity, etc.)
- Request that participants' mental health provider is involved in decision to participate
- Request that mental health provider provide a summary, strategies, or information about participant that may be useful.
- Recommend that participants meet and discuss with providers.
- Consider asking early warning signs or 'sick day plan'
- Ask for specifics on medication administration, missed dose plan, potential side effects.

ant side effects of medication;

environmental factors that could increase or decrease drug setting?

dose changes?



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EXAMPLES OF COURSE DESCRIPTION



- This course will be physically challenging, emotionally and interpersonally experience (HIOBS)
- There are no therapist or counselors on this course
- Students will be challenged physically and emotionally, students may feel cold, wet, tired, hungry, they may feel scared, isolated or down on themselves for not being able to complete tasks.
- Students will likely tolerate distress, frustration and anger, in themselves and peers.
- Some skills will require concentration, distress tolerance, maturity and cognitive flexibility.
- There will be no access to technology, close quarters, lack of privacy
- Lack of usual coping skills



CONSIDER MENTAL HEALTH ADVISOR FOR THE PROGRAM

Review complex decisions

Follow up with sensitive interview questions

Advise on medication safety

Support and advise evacuation decisions

Urgent follow up with understanding of program specifics

How do you find one?



“GO OR NO GO” DECISION

- Consider ADA concerns when deciding a student is not a good fit for the course or experience.
- Pearls: Consider providing significant information in emotional, physical and risk-taking realms to encourage personal or family self-screening.
 - *Accurate and detailed program descriptions with accurate photos (the sun doesn't shine every day).*
 - *Availability for answering questions and conversing about realities of program*
- Share aspects of concern and offer alternatives
 - *What are your thoughts on John's participation given his suicide attempt two months ago?*
 - *What were your thoughts on his ability to adapt to difficult settings?*
 - *John may benefit by waiting six months and joining the spring semester.*



KIDS THESE DAYS

Dependence
Withdrawal
Addiction



New Social Norms
Lack of Silence
Continuous Stimulation
Perpetual Connectivity

Device Related
Coping skills
Distress Tolerance



TECHNOLOGY DEPENDENCE AND WITHDRAWAL



- Consider screening for technology addiction and withdrawal (parental/self-report).
- Consider recommendation of downward weaning and 'days off' prior to trip.
- Consider providing information about technology withdrawal



ACTION POINTS

- Support staff for mental health issues screened **on** to a program
- Utilize prescribers and therapist to share liability and increase support
- Consider the role of technology dependence and screen for it.

- Create non-discrimination and privacy policies and practices – review with an attorney.
- Train and educate your staff on relevant laws.
- Be transparent -- Don't “sugar-coat” the actual risks involved; create accurate and detailed program descriptions; answer questions.



QUESTIONS? COMMENTS?

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