

ECHO IDAHO

Alzheimer's Disease and
Related Dementias

Healthcare Provider's Role in Idaho Neurocognitive Protective Placement Holds (Idaho Code 56-2101)

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Learning Objectives

- Describe the Idaho Law – Idaho Code 56-2101 on Neurocognitive Protective Placement Hold
- Discuss when to use the law and its benefits in clinical practice
- Discuss barriers to appropriate use of this new law
- Discuss practical strategies to overcome the barriers
- Brief review of how to avoid needing the law

Two Previous ECHO sessions on this topic available for your review

- [2024: Tiffany Robb, MHS and Jessica Kroll, MD](#)
- [2025: Reiko Emtman, MD](#)

Protective Placement Custody booklet and Quarterly reports on the new law

- Freely available on Idaho DHW website – public documents section
<https://publicdocuments.dhw.idaho.gov/WebLink/DocView.aspx?id=35546&dbid=0&repo=PUBLIC-DOCUMENTS&cr=1>
- Quarterly reports freely available at the same website
<https://publicdocuments.dhw.idaho.gov/WebLink/Browse.aspx?id=34623&dbid=0&repo=PUBLIC-DOCUMENTS>

Case Study

- 75-year-old gentleman, a retired police officer, is threatening to shoot his neighbors because he has seen them entering his house at night and stealing his belongings.
- Wife calls 911, speaks to the law enforcement officer and explains that her husband has been diagnosed with dementia and that he has been having these visual hallucinations and has been very aggressive and agitated for the last 24 hours.

New Idaho Law: “Crisis response for persons with a neurocognitive disorder” law

- Went into effect October 1, 2024.
- Purpose: Assist the person experiencing acute crisis to receive prompt medical evaluation to reduce acute threat and identify and treat any reversible underlying medical condition.
- Neurocognitive disorder: Includes Alzheimer’s dementia, Vascular dementia, Mixed dementia, Parkinson’s disease dementia, Lewy body dementia, and other neurological conditions causing neurocognitive disorder.

Who can place a person on Protective Placement Hold?

- Law enforcement officer (police officer) can place a person in the community on a protective placement hold if they meet criteria
- Health care provider at a hospital can place a patient in the hospital on a protective placement hold if they meet criteria

Criteria

- The person has a neurocognitive disorder
- The person is "likely to injure themselves or others"
- The person refuses to voluntarily go to the emergency department
- If the person is in a hospital, the person lacks capacity for decision-making, and the hospital has been unable to locate a surrogate decision-maker for the patient

Definition of “likely to injure self or others”

A substantial risk that serious physical harm will be inflicted by the person on themselves or others as evidenced by threats of homicide or suicide or threats to cause serious physical harm that places another person in reasonable fear of sustaining such harm

Surrogate Decision Maker

The hold is unnecessary if the person has a surrogate decision-maker and the person is in the hospital as the surrogate decision-maker can give consent for evaluation and treatment at the hospital.

Duration

- The hold allows the provider at the hospital to hold the patient for up to 24 hours for assessment and treatment.
- The hospital needs a court order to hold the patient beyond 24 hours, and the same criteria need to be met beyond 24 hours.
- The provider must complete *Certificate of Health Care Provider Examination In Support of Protective Placement of Neurocognitive Disorder Under I.C. 56-2104*.

Health Care Provider

- Patient's attending provider
- Neuropsychologist
- Neurologist
- Psychiatrist

Release From Hold

- Once the person is in the hospital and has a surrogate decision maker
- The health care provider at the hospital assesses the person and addresses any underlying condition causing acute crisis and determines that acute crisis has resolved (the person is not likely to injure self or others)
- The health care provider at the hospital assesses the person and determines that the person does not have a neurocognitive disorder

Process

- Law enforcement initiates the hold and takes the person to the emergency department for assessment.
- Law enforcement then completes the *Application for Protective Placement of Neurocognitive Disorder Under I.C. 56-2104* form and submit it to the county prosecutor's office and provide a copy to the emergency department staff.
- If initiated by the health care provider at a hospital, the provider completes the same form as mentioned above.

Process for Release from the Hold

The health care provider must notify the Court by completing the *Notice of Release of Neurocognitive Protective Placement* form and sending it to the county prosecutor's office.

Process for Protective Placement Following 24-Hour Hold

- Gets complicated
- Discuss if there is time and interest

Steps Prior to Using the Hold

- If your loved one with a neurocognitive disorder is in crisis:
 - Call your dementia provider or GUIDE case manager if you have one to help explore de-escalation techniques and safety measures
 - Call the Alzheimer's Association 24/7 hotline 1-800-272-3900 (alz.org)
 - Call Mobile Crisis Unit 988
 - If imminent danger to self to others, call 911 and let them know your loved one has major neurocognitive disorder and you feel utilizing this specific hold is needed in this moment.
 - If in Ada County, register your loved one TODAY on Aware Care and let the dispatch office know your loved one is on the registry. [Aware Care Ada County - Ada County Sheriff](#).
 - If your peace officer arrives and is unaware of this hold, please later notify your congressman or congresswomen

Steps After Using the Hold

- Connect the family with a dementia specialist to help reduce agitation and escalation of dementia related behaviors in your home.
- Connect family with respite programs, caregiver classes and support groups
- Work to identify and reduce triggers of dementia related behaviors
- Statewide resources:
 - Alz.org for caregiver classes and support groups
 - [Aging Strong programs by Jannus](https://agingstrong.org) (agingstrong.org)
 - [Memory Cafe 2026](#)
 - YMCA/Saint Alphonsus: HOPE HEART PEACE Project
 - [Hope, Heart, Peace Lecture Series Flyer](#)
 - Family Caregiver Navigator Program
 - [Family Caregiver Navigator.pdf](#)
 - Idaho Caregiver Alliance [Welcome to the Idaho Caregiver Alliance - Idaho Caregiver Alliance](#)

Thank you