

House Bill 1160: Mental Health Law- Reform of Laws and Delivery of Service Health
Health and Government Operations Committee
March 9, 2022
Position: Oppose

My name is Frank Solivan, and in order to dissuade you from passing House Bill 1160- Mental Health Law Reform of Laws and Delivery of Service, I wanted to share my personal experience with almost being involuntarily committed, simply because I questioned a treatment decision made by a psychiatrist who spoke with me for two minutes, while I was trying to enter a voluntary program to assist in dealing with my anxiety. The psychiatrist attempted to involuntarily admit me to the hospital's inpatient unit because I disagreed with her treatment plan for me. I was not a danger to myself or others, but she was apparently "worried" about me. Loosening Maryland's involuntary admissions laws is not the answer. Providing supportive, voluntary treatment is.

I am a hard -working man in my 40s. Throughout my life I have suffered from anxiety due to my learning disabilities, but I did not suffer from other mental health issues. At the time of the incident, I was a branch manager in my company and I had worked very hard to get to that position, and being successful was very important to me. The job was stressful and competitive, and in 2019, on the 3rd day of meetings that involved all of the branch managers, I had a panic attack and I had to go home. I passed out at home, and I woke up crying and my wife took me to the emergency room. I waited in the emergency room for hours and then I was told that there was nothing they could do, that even though I was sobbing and breaking down they said that they couldn't handle it, that I needed to see my regular doctor. I went home from the emergency room and the next day I went to work and told my boss that I had to give up my job, and he asked me to stay on until he could find a replacement. I was able to work in that position for another week and a half and then one morning I woke up and I couldn't get out of bed. At that point, I started seeing a therapist and I went on short term disability.

I started seeing a psychiatrist as well, because I was not sleeping at night. I was seeing the psychiatrist for two months, from December 2020 through February 2020, when my psychiatrist suggested that I attend an outpatient partial hospitalization program, because she thought that it would be helpful to me, in addition to continuing to see her. I agreed to enter the program voluntarily, and on February 20, 2020, I went to the hospital to start the program that she recommended. It was a two-week program from 8am until 4pm daily, and I arrived at the hospital at 8am to check into the program. The staff showed me around, checked my vitals, and they had me take a cognitive/reality test to check my functioning, with questions such as who is the President. I got one question wrong and that was a memory question.

The hospital psychiatrist wanted to see me before the first group session, because I was new. I went to see the doctor, and she told me to have a seat, asked me how I am doing, and she asked me how I got to the hospital. When I told her that I drove myself, she was surprised. I have a commercial driver's license. She then asked me what I was doing since I am not working and I told her that I was PC Gaming (i.e. playing video games on the computer) and she did not

understand. The psychiatrist then told me that she was going to change my medication. At this point, she had spoken to me for two minutes, and she had not even introduced herself and I did not even know her name. I told her that I was just put on my current medication two days ago by my psychiatrist and it has not taken effect yet. She insisted that she was going to change my medication. At that point, I calmly stood up, I took my name tag off, and I thanked her for her time and said that this program is not for me. I was not aggressive, or rude. I was not yelling and I normally have a very calm demeanor, which I was maintaining at that moment. I walked around the psychiatrist's desk to leave the room, and she yelled at me and started following me when I opened the door and left the room. The psychiatrist asked me to stay and told me that they had ordered lunch for me. I was trying to walk out of the hospital, and she kept walking with me, and I told her that the program was not for me and she kept on trying to convince me to stay.

I got my personal items out of the locker and the psychiatrist ran off and said she was going to call my wife. She talked to my wife for less than a minute, and then security was there, and she was saying that I was isolating myself, and then she told me to go to the emergency room. I asked her why I needed to go to the emergency room, and that I went in December and they told me they could not do anything for me and then they charged me \$500. The nurse said that the psychiatrist made her decision, and so I went down to the emergency room to be processed. They asked me if I wanted to kill myself or anyone else and I said "no." They then took me to a room where they took my clothes and I was put in paper pajamas and they held me there and I was there for a little while. They had a security guard there and they took all of my personal possessions away from me including my cell phone. This was all extremely humiliating.

At this point, my wife came in and she was concerned about me because she thought there was something very wrong. My wife has a learning disability and is on SSDI and she has a speech impediment and she was arguing with the doctor to let me go home. My wife called her twin sister to come to the hospital for support and she also called my primary care doctor and he called the hospital to try and figure out what was going on. My wife also called my therapist. I was at the hospital for close to four hours and then they told my wife they were going to move me up to a room, and my therapist called to talk to the hospital psychiatrist. During the four hours that I was in the hospital, the psychiatrist did not even attempt to call my therapist. However, once the hospital psychiatrist spoke to my therapist, I was permitted to leave.

Shortly after the incident, I went back to the hospital to get all of the paperwork, and they only gave me the emergency petition. I learned that on the hospital paperwork, that they used information from my wife to emergency petition me, and I believe that they twisted her words around and she was confused because the doctor suggested to her that I needed to be hospitalized, which was not the case. However, in the emergency room, when my wife said that I should be allowed to go home, they said because of her learning disability that she was not a reliable source. The emergency room doctor told my sister-in-law that I was showing red flags on the scale they used to determine whether I was a danger to myself or others, even though I

was only a 2 out of 10, not near the requirement needed to be emergency petitioned, and you receive one point simply for being male.

Three months later I saw in my patient portal that the original psychiatrist tried to have me involuntarily committed before a second doctor even evaluated me and the second doctor signed the petition without even examining me and she wrote that on the paper. They wrote "VOID" on the petition and wrote that the reason they voided it was because my symptoms were less than before, but in the same report they said that I seemed frustrated that I was sent down to the emergency room. In their paperwork there was nothing in there that would suggest that I needed to be emergency petitioned and involuntarily committed.

After this incident, I had a second panic attack because of what happened in the hospital. My therapist said that I had PTSD from this incident. Thankfully, I have recently been able to take a job that is less stressful, as a truck driver for the same company where I have worked for 21 years.

I continued going to therapy and dealing with the work issues, as well as the incident from the hospital. However, I heard about the new laws and I felt fearful of being in therapy because I was afraid of any new laws being passed. I felt that if a hospital could do to me what they did without getting in any trouble, I am even more afraid to go to therapy now with the attempts to pass these new laws. I filed complaints with OHCQ and the Board of Physicians but I learned that Maryland law protected the psychiatrist and the ER doctor who certified me without examining me.

I urge you to not pass this law. I shut down after the incident at the hospital and I started isolating myself. I stayed away from family because I was embarrassed. I was not talking to people and they passed away without my talking them. This incident had a negative ripple effect on my life. There are a lot of negative effects to trying to hospitalize someone who does not need to or want to be hospitalized. There are plenty of laws on the books to get people help when they need it. I am a model citizen and this happened to me. I did the right thing, I sought help and I got hurt. I left the hospital in worse shape than when I went in and there is no accountability for what happened to me. Please consider my story when deciding whether to pass this bill. Thank you.

/s/Frank Solivan
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