

Tennessee State Report Card

Last Updated: January 1, 2024

Method and scoring: State involuntary civil commitment laws are evaluated using a 100-point grading scale. The scoring criteria are in accordance with the Treatment Advocacy Center’s values and policy preferences. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the state’s assisted outpatient treatment (AOT) law. Final letter grades are computed using the following scale:

97 or above	A+	87–89	B+	77–79	C+	67–69	D+	59 or below	F
93–96	A	83–86	B	73–76	C	63–66	D		
90–92	A-	80–82	B-	70–72	C-	60–62	D-		

PART ONE: Inpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	Tenn. Code Ann. §§ 33-6-402, 33-6-404	<input type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts)	0
2. Quality of emergency petition process (5 pts)	Tenn. Code Ann. §§ 33-6-401, 33-6-403	<input checked="" type="checkbox"/> Process specified and reasonable (2 pts) <input checked="" type="checkbox"/> Timelines specified and reasonable (2 pts) <input checked="" type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Requires certification by more than one professional (-2 pts) <input type="checkbox"/> Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts)	5
3. Emergency hold duration (5 pts)	Tenn. Code Ann. § 33-6-413	<input checked="" type="checkbox"/> At least 48-hour hold allowed (3 pts) <input checked="" type="checkbox"/> At least 72-hour hold allowed (2 pts) Five days following certification by court	5
4. Citizen access to court, inpatient petition (5 pts)	Tenn. Code Ann. § 33-6-504	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts) Professionals plus a parent, legal guardian, legal custodian, conservator, spouse, or responsible relative	3
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	Tenn. Code Ann. § 33-6-501	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input checked="" type="checkbox"/> Harm must be imminent (-3 pts)	7
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	Tenn. Code Ann. § 33-6-501(1)(d)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input checked="" type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Endangerment must be imminent (-3 pts) <input type="checkbox"/> Criteria require family to turn person out of home to receive treatment (-3 pts) <input type="checkbox"/> Unreasonably high risk of harm (-3 pts)	7
7. Quality of criteria for psychiatric deterioration (up to 10 pts)		<input type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts)	0
SUBTOTAL			27
PART ONE: Extra Credit			
1. Specifies in which court a petition for inpatient commitment shall be filed (1 pt)			
Extra Credit			0
PART ONE TOTAL			27

PART TWO: Outpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)	Tenn. Code Ann. § 33-6-602	<input type="checkbox"/> Requires local government to adopt (-3 pts)	5

2. Citizen access to court for AOT (5 pts)	Tenn. Code Ann. § 33-6-602	<input type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts) <input type="checkbox"/> Authorizes citizen petition to mental health system only (-2 pts) No statutory authority for citizen petition	0
3. Criteria sufficiently broad to provide actual access (up to 10 pts)	Tenn. Code Ann. § 33-6-602	Evaluate applicable provision only: <input type="checkbox"/> If inpatient/outpatient criteria are the same: <input type="checkbox"/> Inpatient criteria include psychiatric deterioration standard (10 pts) <u>or</u> <input type="checkbox"/> No psychiatric deterioration standard, adequate grave disability standard (5 pts) or <input checked="" type="checkbox"/> If outpatient criteria are distinct from inpatient criteria: <input checked="" type="checkbox"/> Allows consideration of length of treatment history ≥ 36 months (2 pts) <input type="checkbox"/> Does not exclude periods of incarceration or hospitalization (-1 pt) <input checked="" type="checkbox"/> Does not limit application to those currently dangerous or unstable (4 pts) <input checked="" type="checkbox"/> Does not limit application to those refusing service or currently lacking insight (4 pts)	10
4. Authorizes AOT directly from community (5 pts)		AOT, known as mandatory outpatient treatment, is available only at discharge from inpatient	0
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)	Tenn. Code Ann. § 33-6-604	<input checked="" type="checkbox"/> Process specified and reasonable (1 pt) <input checked="" type="checkbox"/> Timelines specified and reasonable (1 pt) <input checked="" type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Periodic reporting to court required (1 pt) <input type="checkbox"/> Renewal process expressly specified (1 pt)	3
6. Procedures require the treatment plan to be shared with the court (5 pts)	Tenn. Code Ann. § 33-6-603	Written treatment plan is developed by provider; no current requirement for court hearing before discharge unless requested	0
7. Specifies procedures and consequences for nonadherence (5 pts)	Tenn. Code Ann. § 33-6-608-9		5
8. Duration of initial order	Tenn. Code Ann. § 33-6-623	<input type="checkbox"/> = 90 days (2 pts) <u>or</u> <input checked="" type="checkbox"/> > 90 days (5 pts) Six months	5
9. Duration of continued order	Tenn. Code Ann. § 33-6-623	<input checked="" type="checkbox"/> = 180 days (2 pts) <u>or</u> <input type="checkbox"/> > 180 days (5 pts)	2
SUBTOTAL			30
PART TWO: Extra Credit			
1. Specifies court for AOT (1 pt)			
2. Court monitoring of voluntary settlement agreements (5 pts)			
Extra Credit			0
PART TWO TOTAL			30
FINAL SCORE			
PART ONE TOTAL			27
PART TWO TOTAL			30
TOTAL			57
GRADE			F