

# Idaho State Report Card

Last Updated: February 2025

**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-		

<b>PART ONE: Inpatient Commitment Statute (up to 50 points)</b>			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	Idaho Code § 66-326(1)	<input type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts) <b><i>Only a peace officer or certain medical staff</i></b>	0
2. Quality of emergency petition process (5 pts)	Idaho Code § 66-326	<input checked="" type="checkbox"/> Process specified and reasonable (2 pts) <input checked="" type="checkbox"/> Timelines specified and reasonable (2 pts) <input type="checkbox"/> Responsible entities identified (1 pt) <input checked="" type="checkbox"/> Requires certification by more than one professional (-2 pts) <input type="checkbox"/> Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts)	2
3. Emergency hold duration (5 pts)	Idaho Code § 66-326	<input checked="" type="checkbox"/> At least 48-hour hold allowed (3 pts) <input checked="" type="checkbox"/> At least 72-hour hold allowed (2 pts) <b><i>24 hours for evaluation, then five days</i></b>	5
4. Citizen access to court, inpatient petition (5 pts)	Idaho Code § 66-329(1)	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts)	3
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	Idaho Code § 66-317(10)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Harm must be imminent (-3 pts)	10
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	Idaho Code § 66-317(12); § 66-329(13)(c)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Endangerment must be imminent (-3 pts) <input checked="" 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)	Idaho Code § 66-317(12)(d)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts)	10
<b>SUBTOTAL</b>			37

## **PART ONE: Extra Credit**

1. Specifies court for inpatient commitment petition (1 pt)	Idaho Code § 66-328	<b><i>The district court of the county</i></b>	1
<b>Extra Credit</b>			1
<b>PART ONE TOTAL</b>			38

<b>PART TWO: Outpatient Commitment Statute (up to 50 points)</b>			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)	Idaho Code § 66-317(14)	<input type="checkbox"/> Requires local government to adopt (-3 pts)	5
2. Citizen access to court for AOT (5 pts)	Idaho Code § 66-329(1)	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts)	3

		<input type="checkbox"/> Authorizes citizen petition to mental health system only (-2 pts)	
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3. Criteria sufficiently broad to provide actual access (up to 10 pts)	Idaho Code § 66-317(14)	<b>Evaluate applicable provision only:</b> <input checked="" type="checkbox"/> If inpatient/outpatient criteria are the same: <input checked="" 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) <b>or</b> <input type="checkbox"/> If outpatient criteria are distinct from inpatient criteria: <input type="checkbox"/> Allows consideration of length of treatment history $\geq$ 36 months (2 pts) <input type="checkbox"/> Does not exclude periods of incarceration or hospitalization (-1 pt) <input type="checkbox"/> Does not limit application to those currently dangerous or unstable (4 pts) <input type="checkbox"/> Does not limit application to those refusing service or lacking insight (4 pts)	10
4. Authorizes AOT directly from community (5 pts)	Idaho Code § 66-329(1)		5
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)	Idaho Code §§ 66-329, 66-337(1)	<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 checked="" type="checkbox"/> Periodic reporting to court required (1 pt) <input type="checkbox"/> Renewal process expressly specified (1 pt)	4
6. Procedures require the treatment plan to be shared with the court (5 pts)			0
7. Specifies procedures and consequences for nonadherence (5 pts)	Idaho Code § 66-329(12)		5
8. Duration of initial order	Idaho Code § 66-329(11)(b)	<input type="checkbox"/> = 90 days (2 pts) <u>or</u> <input checked="" type="checkbox"/> > 90 days (5 pts) <b><i>Up to one year</i></b>	5
9. Duration of continued order	Idaho Code §§ 66-329(11), 66-337(a)	<input type="checkbox"/> = 180 days (2 pts) <u>or</u> <input checked="" type="checkbox"/> > 180 days (5 pts) <b><i>No explicit procedure for continued order; initial order up to one year, subject to periodic review</i></b>	5
<b>SUBTOTAL</b>			42
<b>PART TWO: Extra Credit</b>			
1. Specifies court for AOT (1 pt)	Idaho Code § 66-328	<b><i>The district court of the county</i></b>	1
2. Court monitoring of voluntary settlement agreements (5 pts)			
<b>Extra Credit</b>			1
<b>PART TWO TOTAL</b>			43

<b>FINAL SCORE</b>	
PART ONE TOTAL	38
PART TWO TOTAL	43
<b>TOTAL</b>	81
<b>GRADE</b>	B-