Tennessee Treatment Law Report Card

Last Updated: *January 2026*

Method and scoring: *State involuntary civil commitment laws* are evaluated using a 100-point grading scale. The scoring criteria are in accordance with TAC's values and policy recommendations. 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 quality of its outpatient commitment law. *Grades reflect solely what is written in law and not how those laws are implemented or applied.* 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	☐Authorizes family/enumerated adults (3 pts) ☐Authorizes any responsible adult (2 pts)	0
2. Quality of emergency petition process (5 pts)	Tenn. Code Ann. §§ 33-6-401 to 33-6-427	☒Process specified and reasonable (2 pts) ☒Timelines specified and reasonable (2 pts) ☒Responsible entities identified (1 pt) ☒Requires certification by more than one professional (-2 pts) ☐Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts) ***(See comment 1 below)***	3
3. Emergency hold duration (5 pts)	Tenn. Code Ann. § 33-6-413	☒At least 48-hour hold allowed (3 pts) ☒At least 72-hour hold allowed (2 pts) ***Maximum of five days following order by court pending probable cause hearing; if probable cause found at hearing, may be held for 15 days***	5
4. Citizen access to court, inpatient petition (5 pts)	Tenn. Code Ann. § 33-6-504	☒Authorizes family/enumerated adults (3 pts) ☐Authorizes any responsible adult (2 pts) ***Professionals, 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	☒Contains explicit criteria (10 pts) ☐Language is vague/ambiguous (-3 pts) ☐Harm must be imminent (-3 pts)	10
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	Tenn. Code Ann. § 33-6-501(1)(D)	☒Contains explicit criteria (10 pts) ☒Language is vague/ambiguous (-3 pts) ☐Endangerment must be imminent (-3 pts) ☐Criteria require family to turn person out of home to receive treatment (-3 pts) ☒Unreasonably high risk of harm (-3 pts)	4
7. Quality of criteria for psychiatric deterioration (up to 10 pts)		☐Contains explicit criteria (10 pts) ☐Language is vague/ambiguous (-3 pts) ***(See comment 2 below)***	0
		SUBTOTAL	25
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	25

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	☐Requires local government to adopt (-3 pts) ***Referred to as "Mandatory Outpatient Treatment"***	5
2. Citizen access to court for AOT (5 pts)	Tenn. Code Ann. § 33-6-602	☐Authorizes family/enumerated adults (3 pts) ☐Authorizes any responsible adult (2 pts) ☐Authorizes citizen petition to mental health system only (-2 pts) ***Inpatient hospital staff only***	0
3. Criteria sufficiently broad to provide actual access (up to 10 pts)	Tenn. Code Ann. § 33-6-602	**Evaluate applicable provision only:** ☐If inpatient/outpatient criteria are the same: ☐Inpatient criteria include psychiatric deterioration standard (10 pts) or ☐No psychiatric deterioration standard, adequate grave disability standard (5 pts) **or** ☒If outpatient criteria are distinct from inpatient criteria: ☒Allows consideration of length of treatment history ≥ 36 months (2 pts) ☐Does not exclude periods of incarceration or hospitalization (-1 pt) ☒Does not limit application to those currently dangerous or unstable (4 pts) ☒Does not limit application to those refusing service or currently lacking insight (4 pts)	10
4. Authorizes AOT directly from community (5 pts)	Tenn. Code Ann. § 33-6-602	***Only available at discharge from inpatient***	0
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)	Tenn. Code Ann. § 33-6-604	☒Process specified and reasonable (1 pt) ☒Timelines specified and reasonable (1 pt) ☒Responsible entities identified (1 pt) ☐Periodic reporting to court required (1 pt) ☒Renewal process expressly specified (1 pt)	4
6. Procedures require the treatment plan to be shared with the court (5 pts)	Tenn. Code Ann. § 33-6-603	***Written treatment plan is only required to be shared with the court if a hearing is requested***	0
7. Specifies procedures and consequences for nonadherence (5 pts)	Tenn. Code Ann. §§ 33-6-609, 33-6-610		5
8. Duration of initial order	Tenn. Code Ann. § 33-6-623	☐= 90 days (2 pts) or ☒> 90 days (5 pts) ***Six months maximum***	5
9. Duration of continued order	Tenn. Code Ann. § 33-6-621	☒= 180 days (2 pts) or ☐> 180 days (5 pts) ***Six months***	2
		SUBTOTAL	31
PART TWO: Extra Credit			
1. Specifies court for AOT (1 pt)	Tenn. Code Ann. § 33-6-604	***The court where the hospital is located that has the same jurisdiction as the committing court***	1
2. Court monitoring of voluntary settlement agreements (5 pts)			
		Extra Credit	1
		PART TWO TOTAL	32

FINAL SCORE	
PART ONE TOTAL	25
PART TWO TOTAL	32
TOTAL	57

TREATMENT LAW GRADE	**F**

Comments:

1. Tenn. Code Ann. § 33-6-426(b) provides a very limited exception permitting one certificate of need for emergency admissions. Subsection (d) clarifies that this exception does not waive the requirement to file two certificates of need with the court by the time of the probable cause hearing, as specified.
2. While psychiatric deterioration criterion is captured in Tenn. Code Ann. § 33-6-301, separate and distinct procedures are prescribed under that part.