

99003023088000

Heruntergeladen am 28.07.2025

<https://fimportal.de/xzufi-services/8938300/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99003023088000
Leistungsbezeichnung I	
Leistungsbezeichnung II	
Typisierung	4 - Land: Regelung
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gesundheit (003)
Verrichtungskennung	Anordnung (088)
SDG-Informationsbereich	
Lagen Portalverbund	Krankheit (1130200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	

Modul
Sachverhalt
Fachlich freigegeben durch
Handlungsgrundlage

- Act on the Assistance and Placement of Persons in Need of Assistance as a Result of Mental Disorders (PsychHG),
 - Article 104 (2) of the Basic Law (GG).
- <https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=PsychKG+SH&psml=bssshoprod.psm1&max=true&aiz=true>
- https://bundesrecht.juris.de/gg/art_104.html
- <https://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=PsychKG+SH&psml=bssshoprod.psm1&max=true&aiz=true>
- https://bundesrecht.juris.de/gg/art_104.html

Teaser

Closed psychiatric facilities are used to house people who suffer from a serious mental illness.

Volltext

People suffering from a serious mental illness can be placed in a suitable hospital against or without their will if and for as long as their illness poses a serious threat to their life, health or the legal interests of others and the danger cannot be averted in any other way.

For ethical, medical and legal reasons, efforts are made to prevent the use of coercion wherever possible and to avoid it whenever possible. If this is not possible without endangering the life and limb of the person concerned or third parties, the coercive measure must be as gentle and safe as possible. Those affected must not be unnecessarily burdened and traumatized.

The same applies to the treatment with medication that often accompanies a placement measure. As this can be particularly upsetting and sometimes traumatizing, it is only used if and for as long as it is absolutely necessary and there is no other way of eliminating the danger to themselves or others.

A guardian ad litem is appointed ex officio by the court to ensure that the person placed in detention can exercise their rights.

Legal action may be taken against the court's decisions

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	on placement.
Erforderliche Unterlagen	<p>All medical documents describing the mental condition of the person concerned are relevant.</p> <p>An expert opinion must be attached to the application from the competent body: The attending physicians must submit a psychiatric expert opinion on the reason for and the required duration of the measure. In this report, the fulfillment of the requirements for placement must be certified by corresponding findings of fact as well as by assessments of a doctor experienced in psychiatry.</p>
Voraussetzungen	
Kosten	<p>The costs of accommodation are borne by the person accommodated. The hospital operator shall be liable to the person concerned for the hospital costs determined in accordance with the law on nursing care rates. Obligations of third parties based on law or contract, in particular those of persons liable for maintenance or social insurance institutions, to bear the costs remain unaffected.</p> <p>If the competent authority has made the placement provisional, it shall bear the costs of the placement unless the court orders the placement because it was not necessary at the time of the order.</p>
Verfahrensablauf	
Bearbeitungsdauer	
Frist	Every placement measure must be reviewed by a judge after 24 hours at the latest. For this purpose, the person being accommodated must be heard by a judge in person.
weiterführende Informationen	
Hinweise	If a mentally ill person would be entitled to social assistance if they were voluntarily hospitalized, the social assistance provider must provide benefits in cases of hospitalization in accordance with the Federal

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Social Assistance Act and the Act on the Implementation of the Federal Social Assistance Act.

Addresses of health services and health authorities can be found on the website of the Schleswig-Holstein Ministry for Social Affairs, Health, Science and Equality (MSGWG).

https://www.schleswig-holstein.de/DE/fachinhalte/G/gesundheitsvorsorge/gesundheitsdienste/Downloads/OeffentlicherGesundheitsdienst/listeGesAemter.pdf?__blob=publicationFile&v=2

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Rechtsbehelf

Kurztext

Ansprechpunkt

To the districts or independent cities (health authorities) in which the person concerned has his/her place of residence.

Decisions on placement in a psychiatric institution are made by the local court. If a court decision cannot be brought about in time, the district or independent city can provisionally carry out the placement within the framework of Article 104 Para. 2 of the Basic Law, but at the latest until the end of the day following the placement.

Zuständige Stelle

Formulare

Ursprungsportal

Unterbringung psychisch Kranker Anordnung