

Presenter Bio

John “Jack” Rozel, MD, MSL

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UPMC Western Psychiatric

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Dr. Rozel has been working in emergency mental health for over 25 years and has been the medical director of resolve Crisis Services since 2010. He is the President-Elect of the American Association for Emergency Psychiatry, the leading national organization dedicated to the improvement of compassionate, evidence-based care for people with psychiatric emergencies. As the medical director of resolve Crisis Services, he leads a team of 150 crisis professionals who deliver over 130,000 services every year to the residents of Allegheny County through phone, mobile, walk-in and overnight programs delivered through a person centered, recovery oriented model. Dr. Rozel trains and consults with teams across UPMC and the country on projects related to violence and threat management, staff injury prevention, and firearm injury prevention. He is board certified in general, child and forensic psychiatry. Dr. Rozel is a Fellow of the American Psychiatric Association and a 2018 recipient of the Exemplary Psychiatrist award from the National Alliance on Mental Illness.

He completed his general psychiatry residency and child and forensic psychiatry fellowships at Western Psychiatric Institute and Clinic of UPMC. Dr. Rozel, along with his colleague Dr. Layla Soliman, runs the @ViolenceWonks feed on Twitter, providing short summaries of new violence research.

Name and Narrative Description of your Presentation

Making Sense of Maas: Understanding the Expanded Duty to Warn in Pennsylvania

In July 2020, the Pennsylvania Supreme Court handed down a ruling in the Maas v. UPMC case. In this case, a patient murdered a woman who lived five doors down a hallway from him after making a series of vague threats – including, at one point, “a neighbor” – but never identifying a target in any way. The Supreme Court ruled that the entire floor, if not the entire apartment building, should have been warned and identified that, in certain circumstances, entire groups may need to be warned if specifically targeted individuals cannot be personally identified. Maas has expanded mental health professionals’ duties to third parties with little guidance on how such duties (and liabilities) may be limited. This presentation will explore the newly enumerated duty in the context of Emerich, Tarasoff, and HIPAA.

Target Audience: All medical professionals, behavioral health professionals

Three (3) learning objectives

By the completion of this session, participants should be able to:

1. Contrast duties to protect and duties to warn
2. Describe the essential criteria of duties to third parties in Pennsylvania as enumerated in under Emerich and Maas
3. Distinguish liability related to disclosure of information and harm by a third party
4. Identify three resources to help with clinical decision making when faced by cases with violence risk

Three (3) current (within the past 10 years) peer-reviewed publications that support the evidence base for the content of your presentation

1. Maas v. UPMC. 2020. Pa: Supreme Court. https://scholar.google.com/scholar_case?case=4609013596042099881
2. Johnson, Rebecca, Govind Persad, and Dominic Sisti. 2019. “The Tarasoff Rule: The Implications of Interstate Variation and Gaps in Professional Training.” *FOCUS* 17 (4): 435–42. <https://doi.org/10.1176/appi.focus.17402>.
3. Mitchell, Melanie, Gavan Palk, and David Kavanagh. 2019. “No Idle Threat: Exploring Threats and Violence in Persons with Mental Illness.” *International Journal of Forensic Mental Health* 18 (4): 316–25. <https://doi.org/10.1080/14999013.2018.1552636>.
4. Lankford, Adam, Krista Grace Adkins, and Eric Madfis. 2019. “Are the Deadliest Mass Shootings Preventable? An Assessment of Leakage, Information Reported to Law Enforcement, and Firearms Acquisition Prior to Attacks in the United States.” *Journal of Contemporary Criminal Justice*, April, 1043986219840231. <https://doi.org/10.1177/1043986219840231>.
5. Sofer, Stephanie. 2019. “First Amendment - True Threat Doctrine - Pennsylvania Supreme Court Finds Rap Song a True Threat - Commonwealth V. Knox.” *Harvard Law Review* 132 (5): 1558. <https://www.questia.com/library/journal/1G1-577668155/first-amendment-true-threat-doctrine-pennsylvania>

For additional information regarding the presenters or the presentation, please contact Doreen Barkowitz at barkowitzdh@upmc.edu.

Fee for program: There is no fee for viewing the videos. There is a charge of \$30 if applying for a continuing education certificate.



COUNSELORS

Education and Consultative Services of UPMC Western Psychiatric Hospital has been approved by NBCC as an Approved Continuing Education Provider, ACEP No. 5059. Programs that do not qualify for NBCC credit are clearly identified. Education and Consultative Services of UPMC Western Psychiatric Hospital is solely responsible for all aspects of this program. This program is being offered for 1.0 continuing education hours.

MENTAL HEALTH PROFESSIONALS/PEER SPECIALISTS/NURSES: GENERAL CEU

Nurses and other health care professionals are awarded the designated number of Continuing Education Units (CEU). One CEU is equal to 10 contact hours.



PSYCHOLOGISTS:

Education and Consultative Services of UPMC Western Psychiatric Hospital is approved by the American Psychological Association to offer continuing education for psychologists. Education and Consultative Services of UPMC Western Psychiatric Hospital maintains responsibility for these programs and their content. This program is being offered for 1.0 continuing education hours.

LICENSED/CLINICAL SOCIAL WORKERS, LICENSED PROFESSIONAL COUNSELORS, LICENSED MARRIAGE AND FAMILY THERAPISTS: LSW/LCSW/LPC/LMFT

The indicated number of clock hours of continuing education is provided through Education and Consultative Services of UPMC Western Psychiatric Hospital of UPMC's Office of Educational Resources and Planning, a PA-approved provider of social work continuing education in accordance with all the applicable educational and professional standards of the Pennsylvania State Board of Social Workers, Marriage and Family Therapist. This program is being offered for 1.0 continuing education hours. These clock hours satisfy requirements for LSW/LCSW, LPC and LMFT renewal.