BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01 At an Ex Parte Term of the County Court, held in and for the County of Tompkins, County Courthouse, Ithaca New York, on the \_\_\_day of September, 2018

STATE OF NEW YORK COUNTY COURT: TOMPKINS COUNTY

In the Matter of Cayuga Medical Center at Ithaca, Inc. for an Order Authorizing the Medication Over Objection of

BONZE ANNE ROSE BLAYK

a patient of Cayuga Medical Center

ORDER TO SHOW CAUSE Index No. 2018-0315 RJI No. 2018-0466-Z

Upon reading the attached Petition for an Order authorizing medication over objection, executed and sworn to by Eric Jansen on September 28, 2018, and the accompanying affidavits of Dr. Clifford Ehmke, M.D. sworn to September 25, 2018 and Dr. Askar Mehdi, M.D., sworn to September 25, 2018, and sufficient cause thereby appearing to this Court, it is hereby

ORDERED, that the patient BONZE ANNE ROSE BLAYK shall show cause before this Court at a Special Term thereof to be held in and for the County of Tompkins at the Courthouse, 320 N. Tioga Street, Ithaca, New York on the day of September 2018 at 10.00 ft.m. or as soon thereafter as counsel can be heard why an Order should not be issued pursuant to Mental Hygiene Law Section 33.03 and 14 NYCRR Part 527.8 to allow petitioner or any other hospital or psychiatric facility at which respondent is or hereafter may be a patient to administer such medications to, take such routine blood draws from, administer standard laboratory tests/screens (including weekly CBC with differential if on clozapine, clozaril), physical examinations, check vital signs, necessary medical assessments and consultations, the ability to treat any emergent medical conditions such as dehydration with IV fluids or to treat

identification infections with antibiotics, the ability to provide nutrition if deteriorating, the ability to give feeding tubes/PEG tubes if medically required, and to conduct other diagnostic tests such as MRI or other imaging deemed necessary to monitor patient's well-being and deemed to be in her best interests by her treating psychiatrist; and it is further ORDERED, that Mental Hygiene Legal Service be appointed as attorney for the patient to represent her interests in this proceeding; and it is further

ORDERED, that personal service of a copy of this Order to Show Cause by an employee of Cayuga Medical Center, together with the papers upon which it is based, upon the patient, and service upon her, on or before the day of September, 2018, shall be deemed good and sufficient service hereof.

Dated: September 1, 2018

Hon. Scott A. Miller

Acting County Court Judge

ENTER.

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford

# Maureen Reynolds, County Clerk

Tompkins County Clerk 320 North Tioga Street Ithaca, NY 14850 (607) 274-5431



BLAYK, BONZE ANNE ROSE M000597460 BLAYK, BUNE A00088571823 05/01/1956

Received From:

HARRIS BEACH LLP 119 EAST SENECA ST ITHACA, NY 14850

Return To:

Ehmke, Clifford

Receipt #:

18-209890 2018-0315

Index #: Transaction #:

1171529

**Payment Comment:** 

Plaintiff(s):

CAYUGA MEDICAL CENTER AT

Defendant(s):

BONZE ANNE ROSE BLAYK

**ITHACA** 

Fees for: INDEX NUMBER APPLICATION

\$0.00

**Document Desc:** 

Recorded: 09/28/2018 03:43:08 PM

Fees for: RJI

\$0.00

**Document Desc:** 

Recorded: 09/28/2018 03:43:09 PM

Fees for: PROPOSED ORDER

\$0.00

Document Desc: PROPOSED ORDER TO SHOW CAUSE

Recorded: 09/28/2018 03:43:10 PM

Fees for: PETITION

\$0.00

**Document Desc:** 

Recorded: 09/28/2018 03:43:11 PM

Fees for: CIVIL ACTION DOC

\$0.00

Document Desc: AFFIDAVIT IN SUPPORT

Recorded: 09/28/2018 03:43:12 PM

Fees for: CIVIL ACTION DOC

\$0.00

Document Desc: AFFIDAVIT IN SUPPORT

Recorded: 09/28/2018 03:43:13 PM

Total Charges for Transaction: \$0.00

Payments Received:

Change

\$0.00





#### APPLICATION FOR INDEX N'

TOMPKINS COUNTY CLERK Application for Index Number Pursuant to C.P.L.R. Section 8018 (a)



09/28/2018 03:43:08 PM
INDEX NUMBER APPLICATION
Maureen Reynolds, Tompkins County Clerk

# TITLE OF ACTION OR PROCEEDING

#### COUNTY COURT

TOMPKINS COUNTY

In the Matter of the Application of

BONZE ANNE ROSE BLAYK

a patient of Cayuga Medical Center

NAME AND ADDRESS OF

ATTORNEY FOR PLAINTIFF

OR PETITIONER

Mental Hygiene Legal Service Third Judicial

Department

Kristen M. Snyder, Esq. Mental Hygiene Legal Service

44 Hawley Street

Binghamton, New York 13901

NAME AND ADDRESS OF ATTORNEY FOR DEFENDANT

OR RESPONDENT

Harris Beach PLLC Thomas P. Smith, Esq.

119 East Seneca Street, P.O. Box 580

Ithaca, New York 14850

## Title of Action or Proceeding

INDEX NUMBER

COUNTY COURT : TOMPKINS COUNTY

In the Matter of the Application of

BONZE ANNE ROSE BLAYK

a patient of Cayuga Medical Center

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford

UCS-840 (3/2011)	IAS Entry Date
Supreme COURT, COUNTY OF	Judge Assigned
Index No: Date Index Issued:	U U
	If more enace is RJI Date
<b>CAPTION:</b> Enter the complete case caption. Do not use et al or et ano required, attach a caption rider sheet.	. If more space is
In the Matter of an Application by	BLAYK, BONZE ANNE ROSE M000597460 M000597460
Cayuga Medical Center of Ithaca	BONZE ANNE ROSE MO00597460
-211.1.1	BLAYK, BONZE MOUGE F BLAYK, BONZE MOUGE F BLAYK, BONZE MOUGE F A00088571823 A00088571823
	Plaintiff(s)/Petitioner(s)  Plaintiff(s)/Petitioner(s)  Plaintiff(s)/Petitioner(s)
-against-	Ehm
Index #: 2018-0315 CI BONZE ANNE ROSE BLAYK 09/28/2018 03:43:09 PM RJI Maureen Reynolds, Tompkins 0	2018-18266 County Clerk
	Defendant(s)/Respondent(s)
NATURE OF ACTION OR PROCEEDING: Check ONE by MATRIMONIAL	ox only and specify where indicated.  COMMERCIAL
O Contested	O Business Entity (including corporations, partnerships, LLCs, etc.)
Uncontested	O Contract
NOTE: For all Matrimonial actions where the parties have children under	O Insurance (where insurer is a party, except arbitration)
the age of 18, complete and attach the MATRIMONIAL RJI Addendum.	UCC (including sales, negotiable instruments)
TORTS	O Other Commercial:(specify)
O Asbestos O Breast Implant	NOTE: For Commercial Division assignment requests [22 NYCRR §
O Environmental:	202.70(d)], complete and attach the COMMERCIAL DIV RJI Addendum.
(specify)	REAL PROPERTY: How many properties does the application include?
Medical, Dental, or Podiatric Malpractice	O Condemnation
Motor Vehicle	O Foreclosure
Products Liability:(specify)	Property Address:  Street Address City State Zip
Other Negligence:	NOTE: For Foreclosure actions involving a one- to four-family, owner-
(specify)	occupied, residential property, or an owner-occupied condominium,
Other Professional Malpractice: (specify)	complete and attach the FORECLOSURE RJI Addendum.
Other Tort:	O Tax Certiorari - Section: Block: Lot:
(specify)	(specify)
OTHER MATTERS	SPECIAL PROCEEDINGS
Certificate of Incorporation/Dissolution [see NOTE under Commercial]	O CPLR Article 75 (Arbitration) [see NOTE under Commercial]
Emergency Medical Treatment	O CPLR Article 78 (Body or Officer)
O Habeas Corpus  Local Court Appeal	O Election Law O MHL Article 9.60 (Kendra's Law)
Mechanic's Lien	MHL Article 10 (Sex Offender Confinement-Initial)
Name Change	O MHL Article 10 (Sex Offender Confinement-Review)
Pistol Permit Revocation Hearing	O MHL Article 81 (Guardianship)
Sale or Finance of Religious/Not-for-Profit Property	Other Mental Hygiene:     (reselfs)
Other:(specify)	(specify)
(opecit))	O Other Special Proceeding: (specify)
YES	r NO for EVERY question AND enter additional information where indicated.
las a summons and complaint or summons w/notice been filed?	If yes, date filed:
s this action/proceeding being filed post-judgment?	If yes, judgment date:

	URE OF JUDICIAL INTERVEN	TION:	heck ONE box	only AND ent	er additional infor	nation wher	e indicated.	
-	Infant's Compromise							
Š								
č	Notice of Medical, Dental, or Podiatric		ate Issue Join			Data		
č	Notice of Motion  Notice of Petition	Relief Sought: Relief Sought:				Date:		
ŏ	Order to Show Cause	Relief Sought:			118210			Processor
ĕ	Other Ex Parte Application	Relief Sought:						
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(BE)	For parties without an attor	The same of the sa	box AND enti	er party addre	ss, phone number	and e-mail	address in "/	Attorneys" space.
n-	Parties: List parties in caption order and	Attorneys:	465	Spiral Supplies			Issue	
	indicate party role(s) (e.g. defendant;	Provide name, firm	name, busine	ess address, p	hone number and	e-mail	Joined	Insurance Carrier(s
	3rd-party plaintiff).	address of all attor	neys that have	e appeared in	the case.		(Y/N):	
	Cayuga Medical Center of Ithaca	Smith		Th	omas P.			
	Last Name		Last Name		First N	ame	OYES	1 1 1 1 1
_	First Name	Harris Beach PLLC		Firm Name				
	Primary Role:	110 Fast Canana Charac				14050		
		119 East Seneca Street Street Add	Iress	ithaca City	State	14850 Zip	0110	
	Secondary Role (if any):				TPSmith@harrish	each.com	<b>⊙</b> NO	
_		Phone		Fax	e-ma			
	BLAYK Last Name	Snyder, Esq.	Last Name	Kri	stin First N			
	BONZE ANNE ROSE	Mantal Hugiana Lag			FIRST	ame	YES	
٦ĺ	First Name	Mental Hygiene Leg	al Service	Firm Name				
-	Primary Role:	44 Hawley Street		Binghamton		13901		
	Sanadan Sala (Mana)	Street Add	ress	City	State	ZIp	<b>⊙</b> NO	
- 1	Secondary Role (If any):			27	kmsnyder@nyco		00	
-		Phone		Fax	e-ma	ill		
	Last Name		Last Name		First N	ame	Over	
		1					YES	
7	First Name Primary Role:			Firm Name				
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- 1	Secondary Role (If any):	Street Add	.058	City	State	Zip	ONO	16 1
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FIF	RM UNDER THE PENALTY OF PE BEEN NO RELATED ACTIONS O IN THIS ACTION OR PROCEEDIN	ERJURY THAT, TO R PROCEEDINGS NG.	MY KNOW S, NOR HAS	/LEDGE, OT A REQUES	HER THAN AS	NOTED AI	BOVE, THE	ERE ARE AND REVIOUSLY BEEN
	Dated: 09/27/2017			_//	11/1/			
				1//	110	SIGNATU	RE	
	4980223			_///	TI	nomas P. S	mith	
	ATTORNEY REGISTRAT	ON NUMBER			PRIN	T OR TYP	E NAME	
		ON NUMBER	1	/				Print F



Index #: 2018-0315 CI2018-18267 09/28/2018 03:43:10 PM

PROPOSED ORDER TO SHOW CAUSE Maureen Reynolds, Tompkins County Clerk At an Ex Parte Term of the County Court, held in and for the County of Tompkins, County Courthouse, Ithaca New York, on the \_\_\_day of September, 2018

STATE OF NEW YORK
COUNTY COURT: TOMPKINS COUNTY

In the Matter of Cayuga Medical Center at Ithaca, Inc. for an Order Authorizing the Medication Over Objection of

ORDER TO SHOW CAUSE Index No. RJI No.

BONZE ANNE ROSE BLAYK

a patient of Cayuga Medical Center

Upon reading the attached Petition for an Order authorizing medication over objection, executed and sworn to by Eric Jansen on September 28, 2018, and the accompanying affidavits of Dr. Clifford Ehmke, M.D. sworn to September 25, 2018 and Dr. Askar Mehdi, M.D., sworn to September 25, 2018, and sufficient cause thereby appearing to this Court, it is hereby ORDERED, that the patient BONZE ANNE ROSE BLAYK shall show cause before this Court at a Special Term thereof to be held in and for the County of Tompkins at the Courthouse, 320 N. Tioga Street, Ithaca, New York on the \_\_\_\_\_ day of September 2018 at \_\_\_\_\_ m. or as soon thereafter as counsel can be heard why an Order should not be issued pursuant to Mental Hygiene Law Section 33.03 and 14 NYCRR Part 527.8 to allow petitioner or any other hospital or psychiatric facility at which respondent is or hereafter may be a patient to administer such medications to, take such routine blood draws from, administer standard laboratory tests/screens (including weekly CBC with differential if on clozapine, clozaril), physical examinations, check vital signs, necessary medical assessments and consultations, the ability to treat any emergent medical conditions such as dehydration with IV fluids or to treat

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Ehmke, Clifford

identification infections with antibiotics, the ability to provide nutrition if deteriorating, the ability to give feeding tubes/PEG tubes if medically required, and to conduct other diagnostic tests such as MRI or other imaging deemed necessary to monitor patient's well-being and deemed to be in her best interests by her treating psychiatrist; and it is further **ORDERED**, that Mental Hygiene Legal Service be appointed as attorney for the patient to represent her interests in this proceeding; and it is further

ORDERED, that personal service of a copy of this Order to Show Cause by an employee of Cayuga Medical Center, together with the papers upon which it is based, upon the patient, and service upon her, on or before the \_\_\_\_ day of September, 2018, shall be deemed good and sufficient service hereof.

Dated: September \_\_\_, 2018

Hon.

ENTER.

HARRIS BEACH # ATTORNEYS AT LAW 119 East Seneca Street Ithaca. New York

-2-



09/28/2018 03:43:11 PM

PETITION
Maureen Reynolds, Tompkins County Clerk



## COUNTY COURT: TOMPKINS COUNTY

In the Matter of the Application of Cayuga Medical Center at Ithaca, Inc., for an Order Authorizing the Medication Over Objection of

PETITION Index No. RJI No.

#### BONZE ANNE ROSE BLAYK

a patient of Cayuga Medica	l Center	_
STATE OF NEW YORK	)	
COUNTY OF TOMPKINS	) ss.:	

The Petition of Eric Jansen respectfully shows that:

- 1. I am the Unit Director of the Mental Health Unit of Cayuga Medical Center.
- I have custody of the records of the treatment of BONZE ANNE ROSE BLAYK, who is a patient at Cayuga Medical Center.
- 3. On September 27, 2018, the patient was admitted to Cayuga Medical Center pursuant to Section 9.39 of the Mental Hygiene Law. This Petition is submitted in support of Cayuga Medical Center's application pursuant to Section 33.03 of the Mental Hygiene Law at 14 NYCRR Part 527.8 to treat the patient over her objection.
  - 3. The patient is presently suffering from a mental illness.
- 4. The patient has been evaluated by **Drs. Clifford Ehmke**, **M.D. and Askar Mehdi**, **M.D.**, each of whose affidavits are submitted herewith. Each of the doctors has indicated that the patient is in need of involuntary care and treatment, that the patient poses a substantial threat of harm to herself or others; that the doctor has considered alternative forms of treatment and has deemed them inadequate.
- I have reviewed the treating physicians' affidavits and agree with their respective
  evaluations that retention is in the patient's best interest, and that the patient lacks the capacity to
  make a reasoned decision concerning treatment.
- 6. On the basis of these evaluations, an Order of the Court is requested that would permit the treatment over objection of **Bonze Anne Rose Blayk**, at Cayuga Medical Center or at another facility, for a period of sixty (60) days from the date of the Order following the hearing.
- 7. Upon information and belief, the patient will be able to attend any proceeding held in regard to the motion, but will be unable to represent herself. It is therefore requested that as part of the Order to Show Cause herein, the Mental Hygiene Legal Service be appointed as counsel for the patient.

-3-

HARRIS BEACH & ATTORNEYS AT LAW 119 East Seneca Street Ithaca, New York

BLAYK,BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F

Ehmke, Clifford

- An Order to Show Cause is requested herein for the purpose of assuring prompt and expeditious consideration of the proceeding, returnable before the Court at the earliest possible date.
  - 9. No previous application has been made for the relief sought herein.

WHEREFORE, Petitioner prays that:

- The Order to Show Cause submitted herewith be signed by the Court;
- The Mental Hygiene Legal Service be appointed as counsel to protect the interest of the patient;
- An Order of the Court be granted to allow petitioner or any other hospital or 3. psychiatric facility at which respondent is or hereafter may be a patient to administer such medications to, take such routine blood draws from, and administer standard laboratory tests/screens (including weekly CBC with differential if on clozapine, clozaril), physical examinations, check vital signs, necessary medical assessments and consultations, the ability to treat any emergent medical conditions such as dehydration with IV fluids or to treat identification infections with antibiotics, the ability to provide nutrition if deteriorating, the ability to give feeding tubes/PEG tubes if medically required, and to conduct other diagnostic tests such as MRI or other imaging deemed necessary to monitor patient's well-being and deemed to be in her best interests by her treating psychiatrist over Bonze Anne Rose Blayk's objection as deemed to be in her best interests by her treating psychiatrist pursuant to Mental Hygiene Law§ 33.03 and 14 N.Y.C.R.R. Part 527.8 for a period of 60 days following the date of the hearing, and it is further,
- The Petition be granted such other and further relief as the Court may deem just and proper.

STATE OF NEW YORK	)	
COUNTY OF TOMPKINS	)	SS.:

Eric Jansen, being duly sworn deposes and says:

That I am the Unit Director of the Mental Health Unit of Cayuga Medical Center; that I have read the foregoing Petition and know the contents thereof and that the same is true to my own knowledge, except as to matters therein stated to be on information and belief, and as to those matters, I believe them to be true.

Eric Jansen

Unit Director of the Mental Health Unit of

Cayuga Medical Center

Sworn to before me the day of September, 2018

NOTARY PUBLIC

**ROBIN TILTON** Notary Public, State of New York No. 01Tl6160254 **Qualified in Tompkins County** Commission Expires February 5, 2019

BLAYK, BONZE ANNE ROSE M000597460 A00088571823 05/01/1956 62

Ehmke, Clifford

HARRIS BEACH TICRNEYS AT LAW 19 East Seneca Street haca. New York

STATE OF NEW YORK SUPREME COURT: TOMPKINS COUNTY		Index #: 2018-0315 CI2018-182 09/28/2018 03:43:12 PM		
In the Mai	tter of the Application of	AFFIDAVIT IN SUPPORT Maureen Reynolds, Tompkins County Cler		
For an Ord Authorizing Bonze And	cutive Officer of Cayuga Medical chavioral Services Unit  der  ng the Involuntary Treatment of ne Rose Blayk  t Cayuga Medical Center	AFFIDAVIT IN SUPPORT OF APPLICATION TO TREAT OVER OBJECTION; PATIENT BELIEVED TO LACK CAPACITY TO MAKE REASONED DECISIONS CONCERNING TREATMENT		
	F NEW YORK ) OF TOMPKINS ) ss.:			
Cli	fford J. Ehmke, M.D., being duly swo	m, deposes and says:		
Ι.	I am a physician duly licensed to	practice in the State of New York.		
2.	I submit this affidavit in support of	of the application to treat Bonze Anne Rose		
Blayk over	her objection.			
3.	I am familiar with the patient Bor	ize Anne Rose Blayk in that (check which		
applies)				
X I an	n her treating physician.			
l ha	we reviewed the decision of her physi	cian to treat over her objection by reviewing		
er medical	l records and by interviewing the patie	ent.		
4.	It is my opinion and belief that pa	tient Bonze Anne Rose Blayk is not		
ompetent i	to make reasoned decisions concernin	g her treatment. The basis for this opinion is		

described in the attached "Evaluation for Treatment Over Objection" appended hereto and

incorporated herein by reference.

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F

Ehmke, Clifford

according to the proposed treatment outlined in the attached "Evaluation for Treatment Over Objection".

 For the above reasons, I respectfully request this Court grant the application for authorization of treatment of Bonze Anne Rose Blayk.

Signature of Physician

Sworn to before me this

25 day of Sonfenter, 20/3

Notary Public

Lorrie A. Mahoney
Botary Public, State Of New York
No. 01MA5149952
Qualified in Tompkins County
Commission Expires 7//// 2002.

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford 5. It is my opinion that it would be in the best interests of the patient to be treated

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 Ehmke, Clifford

# EVALUATION FOR TREATMENT OVER OBJECTION

Patient Identifying Information:

Name: Bonze Anne Rose Blayk

Status: Involuntary

Unit: 2N

DOB: 12/26/1954

SECTION I - CLINICAL ASSESSMENT

#### CLINICAL SUMMARY:

Ms. Blayk is a 62 y.o. single, white, male-to-female, transgendered patient with a history of chronic psychotic and personality disorders, who is transferred from the Hospitalist service following acute medical stabilization of the medical sequelae which resulted from an altercation with law enforcement at a local Denny's restaurant in which she was struck in the face, resulting in nasal fracture, elevated WBCs and elevated CPK. Police apparently reacted to the patient trying to assault them. When she arrived in our ER, Ms. Blayk was agitated and combative, requiring stat administration of IM lorazepam, ziprasidone and ketamine, as well as mechanical restraint for her own and others' safety. Shortly after admission she required involuntary surgery to reduce a separated left shoulder, after refusing to cooperate voluntarily with this. On exam she is delusional, angry and hostile. In addition to refusing indicated psychiatric medication, she is also refusing antihypertensive medicine, despite systolic blood pressures that are consistently elevated, placing her at risk for stroke and heart disease.

#### PATIENT DIAGNOSIS:

Unspecified Psychotic DO

#### SECTION II -- PROPOSED TREATMENT

Course of treatment recommended by treating physician:

Psychiatric hospitalization and medication with antipsychotic and antihypertensive medicines.

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford 2. Reasonable alternatives, if any

None

- 3. Has patient been tried on proposed treatment?
  - a. If yes, state when: Yes.
  - b. State result: She was hospitalized on the CMC BSU from December. 2016 until February 2017, under similar circumstances, and tolerated long-acting paliperidone, as ordered by the court, well, enabling us to discharge her back to the community.
- 4. Has patient been tried on other treatments? Yes
  - a. If yes, state when: She has been receiving conservative milicu inpatient care
    with groups and therapeutic unit programming since admission on September
    24th, 2018.
  - b. State results: No improvement.
- 5. Anticipated benefits of proposed treatment:

Improved ability to negotiate her needs without aggression Resolution of psychosis Patient could be treated in a less restrictive setting

> Reasonably foreseeable adverse effects: weight gain, movement disorder, cardiac conduction changes



- a. Patient at additional risk? No
- 7. Prognosis without treatment: poor

We wish to begin with \_\_\_\_\_\_ please see attached schedule

## SECTION III - PATIENT'S CAPACITY

1.		Explained to Patient	Yes	No
	a.	Condition	X	
	b.	Proposed treatment	X	
	c.	Anticipated benefits of treatment	X	
	d.	Risk of adverse effects of treatment	x	

X

 Availability (if any) of other treatments and comparison of benefits and risks with proposed treatment.

DID NOT EXPLAIN CONDITION AND/OR TREATMENT TO PATIENT FOR THE FOLLOWING REASONS: N/A

BLAYK, BONZE ANNE ROSE A00088571823 05/01/1956 62 Ehmke, Clifford

2. wherever pos	State nature of patient's objections to treatment. Use patient's own words sible.
	my doctor. You have processed me illegally into this hospital and those were who beat me up."
posed treat	Opinion on patient's capacity – ("Capacity is defined to mean the patient's pally and rationally understand and appreciate the nature and consequences of ment including the benefits, risks and alternatives to the proposed treatment, make a reasoned decision about undergoing the proposed treatment.)
	The patient does not appear capable of making a reasoned decision about the proposed treatment in that:
	The patient does not appear to understand her condition or proposed benefits, risks, or alternatives of proposed treatment. Based on her
	delusional thought content and easy agitation with others.

SECTION IV - POTENTIAL FOR DANGEROUS BEHAVIOR (To be completed only if the patient is considered likely to be dangerous to self or others without the proposed treatment.)

The patient is believed to be potentially dangerous to others:

Vers	X	No	
1 -3		140	

	If yes, provide ba	sis for opinion	: Assaulted the police prior to admission.
2.	The patient is beli	ieved to be pot	entially dangerous to herself.
	Yes	_X	No
	If yes, provide ba	sis for opinion	: Likely to be assaulted by others.
CTION V	/ – ANY OTHER PE	ERTINENT IN	FORMATION OR COMMENTS.
ed: <b>S.</b> p	tento 25 , 20	18	Physician's Sygnature
			Vilyanan e Va
			Clifford J. Ehmke MD Printed Physician's Name
			Psychiatrist Title



Patient: Bonze Anne Rose Blayk

Date: 09/25/2018

Prepared by: Clifford J. Ehmke, MD

Attachment 1

Schedule of proposed medications (given orally unless indicated)

Antipsychotic Medications:

Haldol 2-15mg/day orally or by injection, or as decanoate injection 50-200mg/month

O

Fluphenazine 2-30 mg/day orally or by injection, or as decanoate injection 12.5-

100mg/month

or

Chlorpromazine 25 - 800 mg daily orally or by injection

OF

Risperdal 2-6mg/day orally or as Consta preparation 25-50mg by injection each 2 weeks

or

Geodon 40-240mg/day, orally or as injection:

or

Invega 3-9mg daily orally, or by Sustenna injection each month 117-234mg

or

Abilify 10-20mg daily orally, or by equivalent Maintena injection 400mg each month

or

Zyprexa 2.5 to 20 mg daily orally or by injection

And to treat possible medication side effects:

Cogentin 0.5-6mg/day orally or by injection

or

Benadryl 25-100mg/day orally or by injection

BLAYK, BONZE ANNE ROSE

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F

Ehmke, Clifford

STATE OF NEW YORK SUPREME COURT: TOMI	PKINS COUNTY
In the Matter of the Applicat	tion of
Chief Executive Officer of C	ayuga Medical
Center, Behavioral Services	Unit
For an Order	
Authorizing the Involuntary	Treatment of
Bonze Anne Rose Blayk	
a Patient at Cayuga Medical	Center
STATE OF NEW YORK	1
COUNTY OF TOMPKINS	) 55 '

Index #: 2018-0315 CI2018-18270
09/28/2018 03:43:13 PM
AFFIDAVIT IN SUPPORT
Maureen Reynolds, Tompkins County Clerk

AFFIDAVIT IN SUPPORT
OF APPLICATION TO
TREAT OVER OBJECTION
PATIENT BELIEVED TO
LACK CAPACITY TO MAKE
REASONED DECISIONS
CONCERNING TREATMENT

Askar Mehdi, M.D., being duly sworn, deposes and says:

- I am a physician duly licensed to practice in the State of New York.
- I submit this affidavit in support of the application to treat Bonze Anne Rose
   Blayk over her objection.
- I am familiar with the patient Bonze Anne Rose Blayk in that (check which
  applies)

I am her treating physician,

- \_\_X\_\_ I have reviewed the decision of her physician to treat over her objection by reviewing her medical records and by interviewing the patient.
- 4. It is my opinion and belief that patient Bonze Anne Rose Blayk is not competent to make reasoned decisions concerning her treatment. The basis for this opinion is described in the attached "Evaluation for Treatment Over Objection" appended hereto and incorporated herein by reference.



A00088571823 M000597460 05/01/1956 62 F Ehmke,Clifford

- 5. It is my opinion that it would be in the best interests of the patient to be treated according to the proposed treatment outlined in the attached "Evaluation for Treatment Over Objection".
- 6. For the above reasons. I respectfully request this Court grant the application for authorization of treatment of Bonze Anne Rose Blayk.

Signature of Physician

bl. Mill

Sworn to before me this

25 day of Superview , 2018

Lorge A March

Lorrie A. Mahoney Notiny Public, State Of New York No. 01MA6149952 Qualified in Tompkins County Commission Expires 2/2/22

BLAYK, BUNE 3 A00088571823 AUUU003/1023 62 05/01/1956 3hmke, Clifford

#### EVALUATION FOR TREATMENT OVER OBJECTION

Patient Identifying Information:

Name: Bonze Anne Rose Blayk Status: Involuntary

Unit: 2N DOB: 12/26/1954

SECTION I - CLINICAL ASSESSMENT

#### CLINICAL SUMMARY:

Ms. Blayk is a 62 y.o. single, white, transgender female patient with a history of chronic psychotic symptoms and personality disorders. Patient presented to E.D after an altercation with law enforcement in the community which she was paranoid about and stated that she believes that person was not from law enforcement. Police apparently reacted to patient's attempt to assault. Patient suffers a nasal fracture with increased WBC and CPK. Patient in E.D was combative and agitated required IM medications and mechanical restraints for safety of self and others. Patient required involuntary surgery to reduce a separated left shoulder, after refusing to cooperate voluntarily. Patient was admitted and stabilized on the medical unit and then transferred from the Hospitalist service to mental health unit. On mental health unit she continues to be delusional, irritable and hostile. Patient has been refusing her indicated psychiatric and antihypertensive medicine, despite her unstable mood, delusional thinking and high blood pressures. Patient is showing no insight in her illness and has poor judgement and impaired decision making about about her treatment.

#### PATIENT DIAGNOSIS:

Unspecified Psychotic DO

#### SECTION II - PROPOSED TREATMENT

Course of treatment recommended by treating physician;

Psychiatric hospitalization and medication with antipsychotic and antihypertensive medicines.

Reasonable alternatives, if any

None

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

- 3. Has patient been tried on proposed treatment?
  - a. If yes, state when: Yes.
  - State result: Patient has tolerated long-acting paliperidone in the past with similar symptomatology, as ordered by the court, responded well and was able to be discharge to the community.
- Has patient been tried on other treatments? Yes
  - If yes, state when: Patient has been receiving conservative milieu inpatient care with groups and therapeutic unit programming since admission on September 24th, 2018.
  - b. State results: No improvement.
- Anticipated benefits of proposed treatment:

Improved ability to negotiate her needs without aggression Resolution of psychosis Patient could be treated in a less restrictive setting

- Reasonably foreseeable adverse effects: weight gain, movement disorder, eardiac conduction changes
  - a. Patient at additional risk? No



<ol><li>Prognosis without treatment:</li></ol>	poor
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We wish	to begin with	please see attached schedule
316141 711	CO DURIN WILL	preuse see artherieu scriedine

## SECTION III - PATIENT'S CAPACITY

١.		Explained to Patient	Yes	No
	a,	Condition	X	
	b.	Proposed treatment	X	
	c.	Anticipated benefits of treatment	X	
	d,	Risk of adverse effects of treatment	X	
	e,	Availability (if any) of other treatments and comparison of benefits and risks with proposed treatment.	X	

DID NOT EXPLAIN CONDITION AND/OR TREATMENT TO PATIENT FOR THE FOLLOWING REASONS: N/A

State nature of patient's objections to treatment. Use patient's own words wherever possible.

"I need medical care and I do not need any prescription for mental health"



BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

- 3. Opinion on patient's capacity ("Capacity is defined to mean the patient's ability to factually and rationally understand and appreciate the nature and consequences of proposed treatment including the benefits, risks and alternatives to the proposed treatment, and to thereby make a reasoned decision about undergoing the proposed treatment.)
  - The patient does not appear capable of making a reasoned decision about the proposed treatment in that:
    - The patient does not appear to understand her condition or proposed benefits, risks, or alternatives of proposed treatment. Based on her delusional thinking and easy irritability.

SECTION IV - POTENTIAL FOR DANGEROUS BEHAVIOR (To be completed only if the patient is considered likely to be dangerous to self or others without the proposed treatment.)

1. The patient is believed to be potentially dangerous to others:

Yes X No No

If yes, provide basis for opinion: Assaulted the police prior to admission.

The patient is believed to be potentially dangerous to herself.

Yes \_\_\_\_X \_\_\_\_ No \_\_\_\_

If yes, provide basis for opinion: Likely to be assaulted by others,



BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01 SECTION V - ANY OTHER PERTINENT INFORMATION OR COMMENTS.

Dated: > 60760060 35", 2016

Physician's Signature

Askar Mehdi, MD Primed Physician's Name

Psychiatrist Title

# STATE OF NEW YORK COUNTY COURT: TOMPKINS COUNTY

In the Matter of the Application of Cayuga Medical Center at Ithaca, Inc., for an Order Authorizing the Medication Over Objection of

PETITION
Index No.
RJI No.

#### BONZE ANNE ROSE BLAYK

а	patient	of	Cavuga	Medical	Center
и	patient	OI	Cayuga	Micarcar	Conton

STATE OF NEW YORK )
COUNTY OF TOMPKINS ) ss.:

The Petition of Eric Jansen respectfully shows that:

- 1. I am the Unit Director of the Mental Health Unit of Cayuga Medical Center.
- 2. I have custody of the records of the treatment of BONZE ANNE ROSE BLAYK, who is a patient at Cayuga Medical Center.
- 3. On September 27, 2018, the patient was admitted to Cayuga Medical Center pursuant to Section 9.39 of the Mental Hygiene Law. This Petition is submitted in support of Cayuga Medical Center's application pursuant to Section 33.03 of the Mental Hygiene Law at 14 NYCRR Part 527.8 to treat the patient over her objection.
  - 3. The patient is presently suffering from a mental illness.
- 4. The patient has been evaluated by **Drs. Clifford Ehmke, M.D. and Askar Mehdi, M.D.,** each of whose affidavits are submitted herewith. Each of the doctors has indicated that the patient is in need of involuntary care and treatment, that the patient poses a substantial threat of harm to herself or others; that the doctor has considered alternative forms of treatment and has deemed them inadequate.
- 5. I have reviewed the treating physicians' affidavits and agree with their respective evaluations that retention is in the patient's best interest, and that the patient lacks the capacity to make a reasoned decision concerning treatment.
- 6. On the basis of these evaluations, an Order of the Court is requested that would permit the treatment over objection of **Bonze Anne Rose Blayk**, at Cayuga Medical Center or at another facility, for a period of sixty (60) days from the date of the Order following the hearing.
- 7. Upon information and belief, the patient will be able to attend any proceeding held in regard to the motion, but will be unable to represent herself. It is therefore requested that as part of the Order to Show Cause herein, the Mental Hygiene Legal Service be appointed as counsel for the patient.

HARRIS BEACH ₹
ITORNEYS AT LAW
19 East Seneca Street
haca. New York

BLAYK,BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke,Clifford BSU 202-01

- An Order to Show Cause is requested herein for the purpose of assuring prompt and expeditious consideration of the proceeding, returnable before the Court at the earliest possible date.
  - No previous application has been made for the relief sought herein. 9.

WHEREFORE, Petitioner prays that:

- The Order to Show Cause submitted herewith be signed by the Court; 1.
- The Mental Hygiene Legal Service be appointed as counsel to protect the interest 2. of the patient;
- An Order of the Court be granted to allow petitioner or any other hospital or psychiatric facility at which respondent is or hereafter may be a patient to administer such medications to, take such routine blood draws from, and administer standard laboratory tests/screens (including weekly CBC with differential if on clozapine, clozaril), physical examinations, check vital signs, necessary medical assessments and consultations, the ability to treat any emergent medical conditions such as dehydration with IV fluids or to treat identification infections with antibiotics, the ability to provide nutrition if deteriorating, the ability to give feeding tubes/PEG tubes if medically required, and to conduct other diagnostic tests such as MRI or other imaging deemed necessary to monitor patient's well-being and deemed to be in her best interests by her treating psychiatrist over Bonze Anne Rose Blayk's objection as deemed to be in her best interests by her treating psychiatrist pursuant to Mental Hygiene Law§ 33.03 and 14 N.Y.C.R.R. Part 527.8 for a period of 60 days following the date of the hearing, and it is further,
- The Petition be granted such other and further relief as the Court may deem just 4. and proper.

STATE OF NEW YORK COUNTY OF TOMPKINS )

Eric Jansen, being duly sworn deposes and says:

That I am the Unit Director of the Mental Health Unit of Cayuga Medical Center; that I have read the foregoing Petition and know the contents thereof and that the same is true to my own knowledge, except as to matters therein stated to be on information and belief, and as to those matters, I believe them to be true. dample, MS6

Eric Jansen

-4-

Unit Director of the Mental Health Unit of

Cayuga Medical Center

Sworn to before me the day of September, 2018

NOTARY PUBLIC

**ROBIN TILTON** Notary Public, State of New York No. 01Tl6160254

Qualified in Tompkins County Commission Expires February 5, 2019 BLAYK, BONZE ANNE ROSE A00088571823

05/01/1956 62

M000597460 F

Ehmke, Clifford BSU 202-01

HARRIS BEACH ₹ TTORNEYS AT LAW 19 East Seneca Street haca. New York



BLAYK, BONZE ANNE ROSE A00088571823 M000597460

05/01/1956 62

F

Ehmke, Clifford BSU 202-01

To: Eric Jansen, Director BSU

From: Dr. Clifford Ehmke

September 27, 2018

Re: Treatment Over Objection

Attached is a copy of my evaluation for Treatment Over Objection of Bonze Anne Rose Blayk. I have personally informed the patient that I believe that treatment is in her best interest and that she lacks the capacity to make a reasoned decision about treatment. She continues to object to the proposed treatment.

Accordingly, pursuant to section 527.8(c)(4) of the Office of Mental Health regulations, I am requesting further review.

By copy of this memorandum to the patient and the Mental Hygiene Legal Service, I am notifying them of my determination and this request.

Clifford Ehmke, MD

Cc:

Mental Hygiene Legal Service

State Office Building

44 Hawley St, Room 1602

Binghamton, NY 13901-4435



STATE OF NEW YORK SUPREME COURT: TOMPKINS COUNTY BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

In the Matter of the Application of

Chief Executive Officer of Cayuga Medical Center, Behavioral Services Unit

For an Order

Authorizing the Involuntary Treatment of Bonze Anne Rose Blayk

a Patient at Cayuga Medical Center

AFFIDAVIT IN SUPPORT
OF APPLICATION TO
TREAT OVER OBJECTION;
PATIENT BELIEVED TO
LACK CAPACITY TO MAKE
REASONED DECISIONS
CONCERNING TREATMENT

STATE OF NEW YORK ) COUNTY OF TOMPKINS ) ss.:

Clifford J. Ehmke, M.D., being duly sworn, deposes and says:

- 1. I am a physician duly licensed to practice in the State of New York.
- I submit this affidavit in support of the application to treat Bonze Anne Rose
   Blayk over her objection.
- I am familiar with the patient Bonze Anne Rose Blayk in that (check which applies)
- \_X\_\_ I am her treating physician.
- I have reviewed the decision of her physician to treat over her objection by reviewing her medical records and by interviewing the patient.
- 4. It is my opinion and belief that patient Bonze Anne Rose Blayk is not competent to make reasoned decisions concerning her treatment. The basis for this opinion is described in the attached "Evaluation for Treatment Over Objection" appended hereto and incorporated herein by reference.

- It is my opinion that it would be in the best interests of the patient to be treated according to the proposed treatment outlined in the attached "Evaluation for Treatment Over Objection".
- For the above reasons, I respectfully request this Court grant the application for 6. authorization of treatment of Bonze Anne Rose Blayk.

Sworn to before me this
25 day of September, 20/8

In a Mahoney

Lorrie A. Mahoney Notary Public, State Of New York No. 01MA6149952 Qualified in Tompkins County Commission Expires 7/1/2022

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62

Ehmke, Clifford BSU 202-01

# **EVALUATION FOR TREATMENT OVER OBJECTION**

Patient Identifying Information:

Name: Bonze Anne Rose Blayk Status: Involuntary

Unit: 2N DOB: 12/26/1954

SECTION I – CLINICAL ASSESSMENT

## **CLINICAL SUMMARY:**

Ms. Blayk is a 62 y.o. single, white, male-to-female, transgendered patient with a history of chronic psychotic and personality disorders, who is transferred from the Hospitalist service following acute medical stabilization of the medical sequelae which resulted from an altercation with law enforcement at a local Denny's restaurant in which she was struck in the face, resulting in nasal fracture, elevated WBCs and elevated CPK. Police apparently reacted to the patient trying to assault them. When she arrived in our ER, Ms. Blayk was agitated and combative, requiring stat administration of IM lorazepam, ziprasidone and ketamine, as well as mechanical restraint for her own and others' safety. Shortly after admission she required involuntary surgery to reduce a separated left shoulder, after refusing to cooperate voluntarily with this. On exam she is delusional, angry and hostile. In addition to refusing indicated psychiatric medication, she is also refusing antihypertensive medicine, despite systolic blood pressures that are consistently elevated, placing her at risk for stroke and heart disease.

#### PATIENT DIAGNOSIS:

Unspecified Psychotic DO

#### SECTION II - PROPOSED TREATMENT

1. Course of treatment recommended by treating physician:

Psychiatric hospitalization and medication with antipsychotic and antihypertensive medicines.

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01 2. Reasonable alternatives, if any

BLAYK, BONZE ANNE ROSE A00088571823 M000 05/01/1956 62

M000597460

05/01/1956 62 Ehmke, Clifford BSU 202-01

None

- 3. Has patient been tried on proposed treatment?
  - a. If yes, state when: Yes.
  - b. State result: She was hospitalized on the CMC BSU from December, 2016 until February 2017, under similar circumstances, and tolerated long-acting paliperidone, as ordered by the court, well, enabling us to discharge her back to the community.
- 4. Has patient been tried on other treatments? Yes
  - a. If yes, state when: She has been receiving conservative milieu inpatient care with groups and therapeutic unit programming since admission on September 24th, 2018.
  - b. State results: No improvement.
- 5. Anticipated benefits of proposed treatment:

Improved ability to negotiate her needs without aggression Resolution of psychosis Patient could be treated in a less restrictive setting

6. Reasonably foreseeable adverse effects: weight gain, movement disorder, cardiac conduction changes

- a. Patient at additional risk? No
- 7. Prognosis without treatment: poor

We wish to begin with \_\_\_\_\_\_ please see attached schedule

## SECTION III - PATIENT'S CAPACITY

1.		Explained to Patient	Yes	No
	a.	Condition	X	
	b.	Proposed treatment	X	
	c.	Anticipated benefits of treatment	X	
	d.	Risk of adverse effects of treatment	X	
	e.	Availability (if any) of other treatments and comparison of benefits and risks with proposed treatment.	X	

DID NOT EXPLAIN CONDITION AND/OR TREATMENT TO PATIENT FOR THE FOLLOWING REASONS: N/A

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 Ehmke, Clifford BSU 202-01 2. State nature of patient's objections to treatment. Use patient's own words wherever possible.

"You are not my doctor. You have processed me illegally into this hospital and those were not the cops who beat me up."

3. Opinion on patient's capacity – ("Capacity is defined to mean the patient's ability to factually and rationally understand and appreciate the nature and consequences of proposed treatment including the benefits, risks and alternatives to the proposed treatment, and to thereby make a reasoned decision about undergoing the proposed treatment.)

- a. The patient does not appear capable of making a reasoned decision about the proposed treatment in that:
  - i. The patient does not appear to understand her condition or proposed benefits, risks, or alternatives of proposed treatment. Based on her delusional thought content and easy agitation with others.

SECTION IV – POTENTIAL FOR DANGEROUS BEHAVIOR (To be completed only if the patient is considered likely to be dangerous to self or others without the proposed treatment.)

1. The patient is believed to be potentially dangerous to others:

Yes \_\_\_\_\_ No \_\_\_\_

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

2.	The patient is be	elieved to be p	potentially dangerous to herself.
	Yes	X	No
	If yes, provide b	pasis for opinion	on: Likely to be assaulted by others.
SECTION V -	ANY OTHER	PERTINENT	INFORMATION OR COMMENTS.
Dated: Sept.	mber 25 , 2	0 18	Physician's Signature
			Clifford J. Ehmke MD Printed Physician's Name
			Psychiatrist Title

If yes, provide basis for opinion: Assaulted the police prior to admission.



Patient: Bonze Anne Rose Blayk Prepared by: Clifford J. Ehmke, MD

Date: 09/25/2018

Attachment 1

Schedule of proposed medications (given orally unless indicated)

Antipsychotic Medications:

Haldol 2-15mg/day orally or by injection, or as decanoate injection 50-200mg/month

or

Fluphenazine 2-30 mg/day orally or by injection, or as decanoate injection 12.5-

100mg/month

or

Chlorpromazine 25 - 800 mg daily orally or by injection

or

Risperdal 2-6mg/day orally or as Consta preparation 25-50mg by injection each 2 weeks;

or

Geodon 40-240mg/day, orally or as injection;

or

Invega 3-9mg daily orally, or by Sustenna injection each month 117-234mg

or

Abilify 10-20mg daily orally, or by equivalent Maintena injection 400mg each month

or

Zyprexa 2.5 to 20 mg daily orally or by injection

And to treat possible medication side effects:

Cogentin 0.5-6mg/day orally or by injection

or

Benadryl 25-100mg/day orally or by injection

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

## STATE OF NEW YORK SUPREME COURT: TOMPKINS COUNTY

In the Matter of the Application of

Chief Executive Officer of Cayuga Medical Center, Behavioral Services Unit

For an Order

Authorizing the Involuntary Treatment of Bonze Anne Rose Blayk

a Patient at Cayuga Medical Center

BLAYK, BONZE ANNE ROSE A00088571823 M0 05/01/1956 62

M000597460 F

Ehmke,Clifford BSU 202-01

AFFIDAVIT IN SUPPORT OF APPLICATION TO TREAT OVER OBJECTION; PATIENT BELIEVED TO LACK CAPACITY TO MAKE REASONED DECISIONS CONCERNING TREATMENT

STATE OF NEW YORK )
COUNTY OF TOMPKINS ) ss.:

Askar Mehdi, M.D., being duly sworn, deposes and says:

- 1. I am a physician duly licensed to practice in the State of New York.
- I submit this affidavit in support of the application to treat Bonze Anne Rose
   Blayk over her objection.
- I am familiar with the patient Bonze Anne Rose Blayk in that (check which applies)

\_\_\_ I am her treating physician.

- \_X\_ I have reviewed the decision of her physician to treat over her objection by reviewing her medical records and by interviewing the patient.
- 4. It is my opinion and belief that patient Bonze Anne Rose Blayk is not competent to make reasoned decisions concerning her treatment. The basis for this opinion is described in the attached "Evaluation for Treatment Over Objection" appended hereto and incorporated herein by reference.

- It is my opinion that it would be in the best interests of the patient to be treated according to the proposed treatment outlined in the attached "Evaluation for Treatment Over Objection".
- 6. For the above reasons, I respectfully request this Court grant the application for authorization of treatment of Bonze Anne Rose Blayk.

Signature of Physician

la Mehl

Sworn to before me this Sworn to before the this
25 day of September, 2018

Source a. Mahoney

Notary Public

Lorrie A. Mahoney
Notary Public, State Of New York
No. 01MA6149952
Qualified in Tompkins County
Commission Expires 7/17/2022

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 Ehmke, Clifford BSU 202-01

### EVALUATION FOR TREATMENT OVER OBJECTION

Patient Identifying Information:

Name: Bonze Anne Rose Blayk Status: Involuntary

Unit: 2N DOB: 12/26/1954

## SECTION I - CLINICAL ASSESSMENT

### CLINICAL SUMMARY:

Ms. Blayk is a 62 y.o. single, white, transgender female patient with a history of chronic psychotic symptoms and personality disorders. Patient presented to E.D after an altercation with law enforcement in the community which she was paranoid about and stated that she believes that person was not from law enforcement. Police apparently reacted to patient's attempt to assault. Patient suffers a nasal fracture with increased WBC and CPK. Patient in E.D was combative and agitated required IM medications and mechanical restraints for safety of self and others. Patient required involuntary surgery to reduce a separated left shoulder, after refusing to cooperate voluntarily. Patient was admitted and stabilized on the medical unit and then transferred from the Hospitalist service to mental health unit. On mental health unit she continues to be delusional, irritable and hostile. Patient has been refusing her indicated psychiatric and antihypertensive medicine, despite her unstable mood, delusional thinking and high blood pressures. Patient is showing no insight in her illness and has poor judgement and impaired decision making about about her treatment.

#### PATIENT DIAGNOSIS:

Unspecified Psychotic DO

#### SECTION II - PROPOSED TREATMENT

1. Course of treatment recommended by treating physician:

Psychiatric hospitalization and medication with antipsychotic and antihypertensive medicines.

Reasonable alternatives, if any

None

BLAYK, BONZE ANNE ROSE

A00088571823 M000597460 05/01/1956 62 F

Ehmke, Clifford BSU 202-01

- 3. Has patient been tried on proposed treatment?
  - a. If yes, state when: Yes.
  - b. State result: Patient has tolerated long-acting paliperidone in the past with similar symptomatology, as ordered by the court, responded well and was able to be discharge to the community.
- 4. Has patient been tried on other treatments? Yes
  - a. If yes, state when: Patient has been receiving conservative milieu inpatient care with groups and therapeutic unit programming since admission on September 24th, 2018.
  - b. State results: No improvement.
- 5. Anticipated benefits of proposed treatment:

Improved ability to negotiate her needs without aggression Resolution of psychosis Patient could be treated in a less restrictive setting

- Reasonably foreseeable adverse effects: weight gain, movement disorder, cardiac conduction changes
  - a. Patient at additional risk? No



7	Drognosis	without	treatment:	noor
/.	Floghosis	without	ucaument.	poor

We wish to begin with	places see attached schedule	
we wish to begin with	please see attached schedule	

## SECTION III - PATIENT'S CAPACITY

1.		Explained to Patient	Yes	No
	a.	Condition	X	
	b.	Proposed treatment	X	
	c.	Anticipated benefits of treatment	X	
	d.	Risk of adverse effects of treatment	X	
	e.	Availability (if any) of other treatments and comparison of benefits and risks with proposed treatment.	X	

DID NOT EXPLAIN CONDITION AND/OR TREATMENT TO PATIENT FOR THE FOLLOWING REASONS: N/A

2. State nature of patient's objections to treatment. Use patient's own words wherever possible.

"I need medical care and I do not need any prescription for mental health"



	3. Opinion on patient's capacity – ("Capacity is defined to mean the patient's
ability t	o factually and rationally understand and appreciate the nature and consequences of
propose	d treatment including the benefits, risks and alternatives to the proposed treatment,
and to the	hereby make a reasoned decision about undergoing the proposed treatment.)

- a. The patient does not appear capable of making a reasoned decision about the proposed treatment in that:
  - The patient does not appear to understand her condition or proposed benefits, risks, or alternatives of proposed treatment. Based on her delusional thinking and easy irritability.

SECTION IV – POTENTIAL FOR DANGEROUS BEHAVIOR (To be completed only if the patient is considered likely to be dangerous to self or others without the proposed treatment.)

1.	The patient	is believed	to be	potentially	dangerous t	to others:
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Yes \_\_\_\_\_ No \_\_\_\_

If yes, provide basis for opinion: Assaulted the police prior to admission.

2. The patient is believed to be potentially dangerous to herself.

Yes \_\_\_\_X \_\_\_ No \_\_\_\_

If yes, provide basis for opinion: Likely to be assaulted by others.

## SECTION V – ANY OTHER PERTINENT INFORMATION OR COMMENTS.

Dated: Stotherster 2	251, 2018	
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Physician's Signature

Askar Mehdi, MD Printed Physician's Name

Psychiatrist \_\_\_\_\_

BLAYK, BONZE ANNE ROSE A00088571823 M000597460 05/01/1956 62 F Ehmke, Clifford BSU 202-01

# STATE OF NEW YORK COUNTY COURT: TOMPKINS COUNTY

In the Matter of Application of Cayuga Medical Center, for an Order Authorizing the Treatment Over Objection of

ORDER

Index No. 2018-0315 RJI No. 2018-0466-Z

BONZ ANNE ROSE BLAYK

Hon, Scott Miller

a patient of Cayuga Medical Center

The above named patient has been hospitalized at Cayuga Medical Center since September 24, 2018 and is currently involuntarily retained pursuant to the Mental Hygiene Law; and

Cayuga Medical Center at Ithaca, Inc. having petitioned this Court for authorization to administer such medications to, to take such routine blood draws from and otherwise treat the patient over the patient's objection as deemed to be in the patient's best interests by the patient's treating psychiatrists pursuant to Section 33.03 of the Mental Hygiene Law and 14 NYCRR Part 527.8; and,

A hearing having been held on October 5, 2018, at which [the-patient appeared and testified] [the patient was given the opportunity to appear but refused to do so] and was represented by the Mental Hygiene Legal Service, Kristin Snyder, Esq., of counsel, and the Cayuga Medical Center having appeared by Harris Beach PLLC, Thomas P. Smith, Esq., of counsel, and testimony of the patient's treating physician, Dr. Clifford Ehmke, M.D., having been received and considered; and due deliberation thereupon having been had;

The Court having found that the petitioner has met its burden by clear and convincing evidence that the patient is mentally ill; that the patient lacks the capacity to recognize the need to take the medications and treatment prescribed by the treating physician; that there is no less intrusive alternative treatment for this patient; and that it is in the interest of the patient that certain medications, procedures and tests be administered to the patient despite the patient's objection thereto; and that without the medication and tests the patient would pose a substantial risk of danger to self or to others; it is



ORDERED, that the patient be retained, transferred to and retained for care and treatment at Cayuga Medical Center or a hospital under the jurisdiction of the Department of Mental Health and that the Cayuga Medical Center, and any other medical facility to which the patient is transferred, be and hereby is authorized to administer to Bonze Anne Rose Blayk for treatment of the patient's mental illness the medications as described in the schedule admitted into evidence as Petitioner's Exhibit 1 attached hereto and incorporated herein by reference and administer standard laboratory tests/screens (including weekly CBC with differential if on clozapine or clozaril), physical examinations, check vital signs, necessary medical assessments and consultations, the ability to treat any emergent medical conditions such as dehydration with IV fluids or to treat identified infections with antibiotics, the ability to provide nutrition if deteriorating, the ability to give feeding tubes/PEG tubes if medically required, and to conduct other diagnostic tests such as MRI or other imaging deemed necessary to monitor patient's well-being and deemed to be in her best interests by her treating psychiatrist for sixty days from the date of this Order.

So ordered this Saday of October, 2018

Hon. Scott Miller

County Court Justice, Acting

BLAYK, BONZE ANNE ROSE A00088571823 M000

05/01/1956 62 Ehmke Clifford

Ehmke, Clifford BSU 202-01

HARRIS E
ATTORNEYS AT .....
119 East Seneca Street
Ithaca, New York 14850

Patient: Bonze Anne Rose Blayk

Date: 09/25/2018

Prepared by: Clifford J. Ehmke, MD

Attachment 1

Schedule of proposed medications (given orally unless indicated)

Antipsychotic Medications:

Haldol 2-15mg/day orally or by injection, or as decanoate injection 50-200mg/month

Fluphenazine 2-30 mg/day orally or by injection, or as decanoate injection 12.5-

100mg/month

or

Chlorpromazine 25 - 800 mg daily orally or by injection

Risperdal 2-6mg/day orally or as Consta preparation 25-50mg by injection each 2 weeks

Geodon 40-240mg/day, orally or as injection;

Invega 3-9mg daily orally, or by Sustenna injection each month 117-234mg

Abilify 10-20mg daily orally, or by equivalent Maintena injection 400mg each month

Zyprexa 2.5 to 20 mg daily orally or by injection

And to treat possible medication side effects:

Cogentin 0.5-6mg/day orally or by injection

Benadryl 25-100mg/day orally or by injection

BLAYK, BONZE ANNE ROSE M000597460 A00088571823 Ehmke, Clifford BSU 202-01 05/01/1956

**EXHIBIT**