

THERIS' LAW

A Compassionate Care Pathway for Families Facing Mental Illness & Addiction Crises

Proposed by: BADD – Brothers Against Drug Deaths

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PURPOSE

Theris' Law establishes a narrow, urgent legal process allowing designated family members limited access to medical information and the ability to petition for short-term conservatorship when a loved one is incapacitated by co-occurring mental illness and substance use disorder — particularly in fentanyl-related crises.

Named in memory of **Theris Lee Coats II**, who died in the medical ward of San Francisco County Jail on **March 20, 2025** from an alleged fentanyl overdose while awaiting treatment pickup, this law seeks to prevent similar tragedies by empowering families to act before it's too late.

THE PROBLEM

- HIPAA barriers prevent families from accessing critical health information, even in life-threatening emergencies.
- Individuals with dual diagnoses are often cycled through jails, ERs, and the streets without treatment.
- Families with the most knowledge of their loved ones' needs are legally powerless to intervene.

THE SOLUTION – Theris' Law would:

- **Enable Emergency Family Intervention** – Two licensed medical/mental health professionals certify incapacity; limited medical disclosure to a designated relative.
- **Allow Temporary Conservatorship (7–30 days)** – Judicial review, second medical opinion, and patient notification; full due process and appeal rights.
- **Integrate Patient Rights Safeguards** – Time-limited authority, automatic reassessment, and advocacy access.

BUILT-IN SAFEGUARDS

- No full medical record disclosure.
- Standardized court petitions.
- Mandatory legal representation for the individual.
- Independent oversight from medical and civil rights experts.

EXPECTED BENEFITS

- Save lives by enabling earlier intervention.
- Reduce jail and ER strain from repeated crisis cycles.
- Protect patient rights while empowering families.
- Address racial disparities in overdose and incarceration outcomes.

IMPLEMENTATION PATH

Phase 1 – State Pilot (California) – Counties with high overdose rates (e.g., San Francisco, Los Angeles); funded via mental health & addiction recovery appropriations.

Phase 2 – Federal Advocacy – Promote HIPAA-compliant federal carveouts for certified medical incapacity.

MODELED AFTER SUCCESSFUL LAWS

- Laura's Law (CA) – Assisted outpatient treatment.
- CARE Court (CA) – Civil court mental health diversion.
- Kevin's Law (MI) – Emergency mental health intervention.

CALL TO ACTION:

BADD seeks legislative sponsors, civil rights experts, medical partners, and funding to launch the first Theris' Law pilot in California.

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