

Kitchener Downtown Community Health Centre

Type of Policy:

- | | |
|---|--|
| <input type="checkbox"/> Administration (A) | <input type="checkbox"/> Client Services General (CG) |
| <input type="checkbox"/> Board of Directors (B) | <input type="checkbox"/> Client Services Programs (CP) |
| <input type="checkbox"/> Financial (F) | <input checked="" type="checkbox"/> Primary Care (PC) |
| <input type="checkbox"/> Human Resources (H) | <input type="checkbox"/> Acquired Brain Injury Program (ABI) |
| <input type="checkbox"/> KDCHC Governing Principles (K) | <input type="checkbox"/> Diabetes Education Program (DEP) |
| <input type="checkbox"/> Occupational Health & Safety (S) | |
| <input type="checkbox"/> Volunteers (V) | |

Policy No.: PC0902

Title: Involuntary Assessment

Policy

The *Mental Health Act (MHA) 1990* section 15 (1) sets out circumstances in which a physician may detain a person for psychiatric assessment and the procedures for doing so. The risk management goal of an involuntary assessment is to minimize potential harm to the client and/or society, by authorizing physicians to detain a person who may pose a risk of serious harm to themselves because of a mental disorder. This allows a thorough assessment of the client's mental condition and the risk of harm to be completed and a determination made about their need for psychiatric treatment.

Procedures

1. If a client at Kitchener Downtown Community Health Centre presents with symptoms of a mental disorder, and there are concerns that they poses a risk to themselves or others, the physician will examine the client and make a determination whether the client meets the criteria under section 15(1) or 15(1.1) of the *Mental Health Act* for a psychiatric assessment. If the client meets the defined criteria, the physician will complete a Form 1 (Application for Psychiatric Assessment). (Please see below for the *MHA*, sections 15(1) and 15(1.1))
2. The Form 1 is authority for the client to be taken to psychiatric facility, and to be detained there for up to 72 hours to complete a psychiatric assessment. This assessment is to confirm whether or not the client suffers from a mental disorder, and if so, whether admission to a psychiatric facility is necessary.
3. A doctor may sign a Form 1 **only if** they have examined the client within the 7 days before they sign the Form 1.

4. Once a Form 1 is signed, it is effective for a period of 7 days. During this period, any person (usually a police officer) has the authority to take the client immediately to a psychiatric hospital, or the emergency department of a hospital with psychiatric services. After 7 days have expired, the Form 1 is no longer in effect and a physician would have to re-examine the client to determine if the criteria are still met, and if so, issue another Form 1.
5. The original Form 1 is given to the police officer and a copy is kept in the client's chart.

Reference Documents:

Mental Health Act, Sections 15(1) and 15(1.1):

15.(1)Where a physician examines a person and has reasonable cause to believe that the person,

- (a) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself;
- (b) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her; or
- (c) has shown or is showing a lack of competence to care for himself or herself,

and if in addition the physician is of the opinion that the person is apparently suffering from mental disorder of a nature or quality that likely will result in,

- (d) serious bodily harm to the person;
- (e) serious bodily harm to another person; or
- (f) serious physical impairment of the person,

the physician may make application in the prescribed form for a psychiatric assessment of the person. R.S.O. 1990, c. M.7, s. 15 (1); 2000, c. 9, s. 3 (1).

(1.1) Where a physician examines a person and has reasonable cause to believe that the person,

- (a) has previously received treatment for mental disorder of an ongoing or recurring nature that, when not treated, is of a nature or quality that likely will result in serious bodily harm to the person or to another person or substantial mental or physical deterioration of the person or serious physical impairment of the person; and
- (b) has shown clinical improvement as a result of the treatment, and if in addition the physician is of the opinion that the person,
- (c) is apparently suffering from the same mental disorder as the one for which he or she previously received treatment or from a mental disorder that is similar to the previous one;
- (d) given the person's history of mental disorder and current mental or physical condition, is likely to cause serious bodily harm to himself or herself or to another person or is likely to suffer substantial mental or physical deterioration or serious physical impairment; and

(e) is incapable, within the meaning of the *Health Care Consent Act, 1996*, of consenting to his or her treatment in a psychiatric facility and the consent of his or her substitute decision-maker has been obtained,

the physician may make application in the prescribed form for a psychiatric assessment of the person. 2000, c. 9, s. 3 (2).

Link to the Forms:

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=014-6427-1787-41>

Approved by: Eric Goldberg, Executive Director

Date: August 23, 2016
