

FORMS

 MHC <small>Mental Health Commission</small>	INVOLUNTARY ADMISSION ORDER FOR UP TO 21 DAYS <small>MENTAL HEALTH ACT 2001 SECTIONS 14, 15</small> FORM 6 <small>PAGE 1 OF 2</small>
 MHC <small>Mental Health Commission</small>	RECOMMENDATION (BY A REGISTERED MEDICAL PRACTITIONER) FOR INVOLUNTARY ADMISSION OF AN ADULT (TO AN APPROVED CENTRE) <small>MENTAL HEALTH ACT 2001 SECTION 10</small> FORM 5 <small>PAGE 1 OF 2</small>
 MHC <small>Mental Health Commission</small>	APPLICATION (TO A REGISTERED MEDICAL PRACTITIONER) BY SPOUSE OR RELATIVE FOR A RECOMMENDATION FOR INVOLUNTARY ADMISSION OF AN ADULT (TO AN APPROVED CENTRE) <small>MENTAL HEALTH ACT 2001 SECTION 9</small> FORM 1 <small>PAGE 1 OF 2</small>

BLOCK CAPITALS (Before completing this form please read the notes overleaf)

1. Full Name and Home Address of PERSON to be admitted to an Approved Centre

2. Date of Birth OR Age (If Date of Birth not known) Age: _____ Gender: M F

3. APPLICANT'S Full Name and Address

4. Telephone number

5. Name and Address of Approved Centre

6. State Relationship

7. Reason for making an application

8. Circumstances in which the application is made

9. Date: I last observed the person on _____ (24 hr clock e.g. 2.45p.m. is written as 14:45) Time: _____


10. Name of doctor who refused application

11. Date of refusal

12. Circumstances pertaining to the refusal

Signature: _____ Date: _____

For use only in accordance with the Mental Health Act 2001

 MHC <small>Mental Health Commission</small>	PATIENT NOTIFICATION OF THE MAKING OF AN ADMISSION ORDER OR A RENEWAL ORDER <small>MENTAL HEALTH ACT SECTION 16(2)</small>
Please use BLOCK CAPITALS and read notes overleaf before completing	
Person's Details: First Name: _____ Surname: _____ PPS Number: _____	A general description of the proposed treatment to be administered to you during your period of detention is as follows: _____ _____
Information: I, _____ (full name of Consultant Psychiatrist) notify you (the patient) in writing of the following information as required by Section 16(2) of the Mental Health Act 2001	Name and Address of Approved Centre _____ _____ _____
• You are being detained in accordance with: a. an Admission Order (Section 14 of the Mental Health Act 2001) <input type="checkbox"/> OR b. a Renewal Order (Section 15 of the Mental Health Act 2001) <input type="checkbox"/> • You are entitled to legal representation • You are entitled to communicate with the Inspector of Mental Health Services • You will have your detention reviewed by a Mental Health Tribunal in accordance with the provisions of Section 1 of the Mental Health Act 2001 • You are entitled to appeal to the Circuit Court against the decision of a Mental Health Tribunal under Section 1 of the Mental Health Act 2001 (Admission Order or a Renewal Order). • You may be admitted as a voluntary patient if you indicate a wish to be so admitted	WARD/UNIT _____ _____ _____ Date Admission order or Renewal order made: _____ Time Admission order or Renewal order made: _____ <small>(24 hr clock e.g. 2.15pm should be recorded as 14:15)</small> Signatures: Signed: _____ (Patient) Signed: _____ (Consultant Psychiatrist) Date: _____ Time: _____ <small>(24 hr clock e.g. 2.15pm should be recorded as 14:15)</small>

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admission order

means the order authorising the reception, detention and treatment of the patient concerned and shall remain in force for a period of 21 days from the date of the making of the order in accordance with Section 15

application

means an application for a recommendation that a person be involuntarily admitted to an Approved Centre and “applicant” shall be construed accordingly

approved centre

means a hospital or other in-patient facility for the care and treatment of persons suffering from mental illness or mental disorder which is registered on the Register of Approved Centres in accordance with Section 63

mental illness

means a state of mind of a person which affects the person’s thinking, perceiving, emotion or judgment and which seriously impairs the mental function of the person to the extent that he or she requires care or medical treatment in his or her own interest or in the interest of other persons

recommendation

means a recommendation made by a registered medical practitioner in a form specified by the Commission that a person be involuntarily admitted to a specified Approved Centre

registered medical practitioner

means a person whose name is entered in the General Register of Medical Practitioners

severe dementia

means a deterioration of the brain of a person which significantly impairs the intellectual function of the person thereby affecting thought, comprehension and memory and which includes severe psychiatric or behavioural symptoms such as physical aggression

significant intellectual disability

means a state of arrested or incomplete development of mind of a person which includes significant impairment of intelligence and social functioning and abnormally aggressive or seriously irresponsible conduct on the part of the person.



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Disclaimer: The leaflet is only a guide to the Mental Health Act 2001. It does not give a legal interpretation of the Act or a complete description of how it operates, so please do not rely on it for advice. For full information, please read this leaflet along with the Mental Health Act 2001, regulations made under it and other laws on health.



MENTAL HEALTH ACT 2001 (MHA 2001) INVOLUNTARY ADMISSION PROCEDURES FOR ADULTS

The majority of admissions to Approved Centres are on a voluntary basis.

With the full implementation of the MHA 2001 from the 1st November 2006 there are new statutory criteria and procedures for involuntary admission to Approved Centres.

Although the MHA 2001 provides for new procedures it does not replace clinical judgment and decision making.

Under the MHA 2001 a person can only be admitted to an Approved Centre as an involuntary patient when the legal definition of mental disorder is met.

This leaflet is designed to assist service providers with the:

- Legal definition of mental disorder
- Exclusion criteria for involuntary admission, Section 8(2) MHA 2001
- New procedures for involuntary admission

LEGAL DEFINITION OF A MENTAL DISORDER (Section 3, MHA 2001)

Mental disorder means:
Mental illness, severe dementia or significant intellectual disability

WHERE

A Because of the illness, dementia or disability:
there is a serious likelihood of the person concerned causing immediate & serious harm to himself or herself or other persons

OR

B Because of the severity of the illness, dementia or disability:
the judgement of the person concerned is so impaired that failure to admit the person to an Approved Centre would be likely to lead to a serious deterioration of his or her condition

or
would prevent the administration of appropriate treatment that could be given only by such admission

and
the reception, detention and treatment of the person concerned would be likely to benefit or alleviate the condition of that person to a material extent.

EXCLUSION CRITERIA FOR INVOLUNTARY ADMISSION [MHA 2001 S8(2)]

It is not lawful to detain a person involuntarily in an Approved Centre solely because that person is:

- suffering from a personality disorder,
- is socially deviant, or
- is addicted to drugs or intoxicants.

MENTAL HEALTH ACT 2001 – INVOLUNTARY ADMISSION PROCEDURE FOR ADULTS

STEP 1

Applicant

- Spouse/Relative of the person (Form 1)
- Authorised Officer (Form 2)
- Member of an Garda Síochána (Form 3)
- Any other person/Member of the public (Form 4)

is concerned that the person may have a mental disorder and within 48 hours of observing the person makes an application by completing the appropriate form [no.'s 1-4]

STEP 2

Application received by the Registered Medical Practitioner (RMP) (e.g. GP)

within 24 hours of receipt of application

RMP examines person [examine process and content of thought, the mood and the behaviour of the person concerned]
and
informs the person of the purpose of the examination [unless to do so, would in the RMP's opinion be prejudicial to the person's mental health, well-being or emotional condition]

RMP satisfied the person has a mental disorder [as defined in the MHA 2001 S3(l)]

RMP not satisfied the person has a mental disorder [as defined in the MHA 2001 S3(l)]

RMP makes a recommendation (Form 5) (recommendation remains in force for 7 days)

Refuses to make a recommendation

RMP sends the recommendation to Clinical Director of the Approved Centre and gives a copy of the recommendation to the applicant

Applicant may seek a second opinion. [In such instances all of the facts relating to the previous application in so far as they are known by the applicant, must be made known to the RMP from whom the second opinion is sought] (MHA 2001 S11)

STEP 3

Applicant is responsible for securing the removal of the person to the relevant Approved Centre

Where the applicant is unable to arrange such removal

- At the request of the RMP, the Clinical Director of the Approved Centre (or consultant psychiatrist acting on his/her behalf) shall arrange for the removal of the person to the Approved Centre by members of staff of the Approved Centre.
- Where the RMP and the Clinical Director (or a Consultant Psychiatrist acting on his/her behalf) are of the opinion that there is a serious likelihood of the person concerned causing immediate and serious harm to self or others the Clinical Director (or a Consultant Psychiatrist acting on his/her behalf) may request an Garda Síochána to assist members of staff of the Approved Centre in removal of the person to the centre concerned and an Garda Síochána are obliged to assist (MHA 2001 S13).

STEP 4

[MHA 2001 S14(2)]

- A Consultant Psychiatrist
- Medical Practitioner
- Registered Nurse

is entitled to take charge of the person

ADMISSION ORDER (MHA 2001 S14)
AS SOON AS PRACTICABLE AND WITHIN 24 HOURS OF THE PERSONS' ARRIVAL AT THE APPROVED CENTRE

Consultant Psychiatrist examines person

Consultant Psychiatrist satisfied that the person has a mental disorder

Consultant Psychiatrist not satisfied that the person has a mental disorder

Complete Admission Order (Form 6)
Admission order valid for up to 21 days (MHA 2001 S15)

DISCHARGE PERSON

The person who is the subject of an admission order is referred to as a patient

The person may remain in the Approved Centre as a voluntary patient if he/she so wishes

Within 24 hours of making the Admission Order, the Consultant Psychiatrist (MHA 2001 S16)

(a) notifies the patient in writing of the following:

- he/she may be admitted as a voluntary patient if he/she indicates such a wish
- he/she is being detained under an admission order
- he/she is entitled to legal representation
- he/she will be given a general description of the proposed treatment to be administered during the period of detention
- he/she is entitled to communicate with the Inspector of Mental Health Services
- he/she will have his/her detention reviewed by a mental health tribunal
- there is a right of appeal to the Circuit Court against a decision of that tribunal

(b) sends a copy of the Admission Order to the Mental Health Commission