

# CHIEF PSYCHIATRIST

## ADVISORY NOTE

Section	Practice issue	Advice
s. 7 s. 8 s. 11	Who can provide consent for mental health treatment?	Steps in the process to seek consent for mental health treatment (See AN/004).
s. 63 (3)	Process to follow for treatment of a person under a PTO in the community, who subsequently requires inpatient treatment under the PTO.	Authorisation for inpatient admission must be sought from the consultant psychiatrist (as delegate of Chief Psychiatrist).  The <i>Treatment Plan and Location Determination</i> form must be updated accordingly (See AN/006).
s. 80	Transportation of a person following apprehension	Makes explicit process to be followed for various scenarios when transporting a person to an approved mental health facility (See AN/002).
s. 80	Process for an inpatient admitted voluntarily who requires involuntary care	A consumer who has been admitted to the hospital voluntarily cannot be treated involuntarily (See AN/005). If involuntary treatment is required assessment of the situation must occur as required in Section 80.
s.77 (2) & s. 77 (3)	Can a person in contravention of a mental health order be treated at a place other than an approved mental health facility?	The person can be appropriately treated at a place other than an approved mental health or community care facility or the person's home, if the place is a suitable place for the treatment (See AN/003).
s. 84	Initial examination of a detained person under s. 84 of the Mental Health Act.	Initial examination under s. 81 must occur within four hours of arrival at the facility (See AN/008). Extension is possible for another two hours with the approval of delegate of Chief Psychiatrist. If initial examination does not occur within this timeframe the person must not continue to be detained.
s. 263 & s. 264	Powers of entry and apprehension (s. 263) or search and seize (s. 264)	An authorised person may have the power to enter a property, apprehend a person or search the person and seize items when undertaking specific functions under the Act. (See AN/007).