

Chief Psychiatrist

ADVISORY NOTE

Licensing private psychiatric facilities and approval of mental health facilities

ISSUE	To clarify the process for licensing private psychiatric facilities and approval of mental health facilities under the <i>Mental Health Act 2015</i> .
DEFINITIONS	<p>An approved mental health facility is a place approved by the Minister for Mental Health under s. 261 of the Act. This is a facility that a person may be taken to, if they are detained under emergency detention, on a Mental Health Order requiring inpatient treatment, care and support or have contravened a Psychiatric Treatment Order.</p> <p>A private psychiatric facility is a hospital or other facility, that is not operated by the ACT Government.</p>
ADVICE	<p>Services seeking approval for a unit to be used as a licensed private psychiatric facility or an approved mental health facility under the Act should consult with the Office of the Chief Psychiatrist (OCP), via ChiefPsychiatrist@act.gov.au.</p> <p>The documentation required and the processes to be followed are articulated in Figure 1 below.</p> <p>Services should contact the OCP as early as possible to ensure the appropriate approvals are in place before a licensed private psychiatric facility or an approved mental health facility becomes operational.</p>
IMPLEMENTATION	<p>This Advisory will be part of orientation for all staff involved in seeking approval for a unit to be used as a licensed private psychiatric facility or an approved mental health facility under the Act.</p> <p>Services may develop their own policies and procedures to implement this advice.</p>
RELEVANT LEGISLATION	<p>Mental Health Act 2015</p> <p>Mental Health (Secure Facilities) Act 2016</p>

Figure 1: Licensing of private psychiatric facilities and approval of mental health facilities under the Mental Health Act

