

NOTIFICATION TO INVOLUNTARY PATIENT OF RIGHTS UNDER THE *MENTAL HEALTH ACT*

The information in **bold** type must be read to the patient.

I am here to tell you about your legal rights under the *Mental Health Act* as an involuntary patient. I will read you a summary of these rights. You may ask me questions at any time. I will give you a copy of this form, which contains information for you to read.

You have the right:

- 1. to know the name and location of this facility. It is** _____
name of facility
at _____
location
- 2. to know the reason why you are here. You have been admitted under the *Mental Health Act*, against your wishes, because a medical doctor is of the opinion that you meet the conditions required by the *Mental Health Act* for involuntary admission. (see *Reasons for Involuntary Admission*)**
- 3. to contact a lawyer. (see *Contacting a Lawyer*)**
- 4. to be examined regularly by a medical doctor to see if you still need to be an involuntary patient. (see *Renewal Certificates*)**
- 5. to apply to the Review Panel for a hearing to decide if you should be discharged. (see *Review Panel*)**
- 6. to apply to the court to ask a judge if your medical certificates are in order. A lawyer is normally required. (see *Judicial Review (Habeas Corpus)*)**
- 7. to apply to the court to ask a judge to review your medical doctor's decision to keep you in the facility. A lawyer is normally required. (see *Application to the Court*)**
- 8. to request a second medical opinion on the appropriateness of your medical treatment. (see *Second Medical Opinion*)**
- 9. to meet with an independent Rights Advisor. (see *Meet with a Rights Advisor*)**

name of patient (please print)

patient's signature

date signed (dd / mm / yyyy)

name of person who provided information

Give the patient a blank copy and file the named copy in the chart

MORE INFORMATION

REASONS FOR INVOLUNTARY ADMISSION

A medical doctor signed a medical certificate for your involuntary admission because the doctor is of the opinion that

- (a) you are a person with a mental disorder that seriously impairs your ability to react appropriately to your environment or associate with other people,
- (b) you require psychiatric treatment in or through a designated facility,
- (c) you should be in a designated facility to prevent your substantial mental or physical deterioration or to protect yourself or other people, and
- (d) you cannot be suitably admitted as a voluntary patient.

The reasons why the medical doctor thinks you should be here are written on the medical certificate. You may have a copy of the medical certificate unless the hospital believes that this information will cause serious harm to you or cause harm to others.

As an involuntary patient, you do not have a choice about staying here. The staff may give you medication or other treatment for your mental disorder even if you do not want to take it.

CONTACTING A LAWYER

You may contact any lawyer or advocate you choose at any time.

RENEWAL CERTIFICATES

If a second medical certificate is completed within 48 hours of your admission, you may be required to stay in hospital for up to one month depending on your response to treatment. Before the end of the month a medical doctor must examine you and your involuntary certificate may be renewed, if necessary, for up to another month. After this, the certificates must be renewed at the end of three months and then every six months. *Every time a new certificate is filled out, you have the right to ask for a hearing by a review panel.*

REVIEW PANEL

You or someone on your behalf may apply to the review panel by filling in a Form 7, Application for Review Panel Hearing. This form is available in the nursing unit. The review panel must decide within 14 days to continue your hospitalization or discharge you. There is no cost. Information about how a review panel works can be provided by your nurse or you can contact the Mental Health Law Program directly at 604 685-3425 or toll free at 1 888 685-6222.

JUDICIAL REVIEW (HABEAS CORPUS)

You may ask the court to look at the documents used in your involuntary admission to see whether you should be kept in this facility. You will need a lawyer to assist you and there may be a cost.

APPLICATION TO THE COURT

You may ask the Supreme Court of British Columbia to decide whether you must continue to be an involuntary patient. You will need a lawyer to assist you and there may be a cost.

SECOND MEDICAL OPINION

At any time after the second medical certificate is completed, you, or a person on your behalf, may request a second medical opinion about the appropriateness of your medical treatment. The second opinion is NOT about whether you should continue to be an involuntary patient. You may ask to be seen by a medical doctor of your choice or ask the director to pick a medical doctor. There may be a cost to you depending on the distance the doctor has to travel. *When the director receives the second opinion, the director does not have to change the treatment; it is only an opinion.*

MEET WITH A RIGHTS ADVISOR

You are encouraged to meet with a Rights Advisor. A Rights Advisor can give you information about your rights and options under the *Mental Health Act*. They support you to make decisions. Their help is free.

Rights Advisors do not work for the government, facility, or treatment team. They meet with you in private and do not share what you talk about. A Rights Advisor can also help connect you with local resources and supports, including those for Indigenous persons. You can choose to invite a support person (e.g., family member, friend) to your Rights Advice meeting.