

**FORM 16.1 - MENTAL HEALTH ACT  
NOTIFICATION TO NEAR RELATIVE  
OF ADMISSION OF INVOLUNTARY PATIENT**

(Sections 34.2 and 34.3, R.S.B.C. 1996, c. 288) HLTH 3516.1 2025/07/30

**To:** \_\_\_\_\_  
First and Last Name of Near Relative

**You have been chosen as a “near relative” of a patient in a mental health facility. This means:**

- you are a family member, friend, caregiver, companion, guardian, or representative of the patient, and
- you will get notifications when the person’s involuntary admission begins and ends, or if they request a hearing with the Mental Health Review Board.

**This notification is to give you information only. You don’t have to take any further action.**

**The following person is an involuntary patient at the mental health facility listed below:**

PATIENT AND DESIGNATED FACILITY INFORMATION	
First and Last Name of Person	Date of Involuntary Admission (DD / MM / YYYY)
Designated Facility Name	City / Town
Name of Director of Designated Facility	

This person is an involuntary patient because a doctor or nurse practitioner assessed them and their opinion is:

- they are experiencing a serious mental health issue, and
- they need psychiatric treatment in or through a mental health facility.

The facility must provide the person with appropriate care, treatment, and support. There is more information about what it means to be an involuntary patient on page 2 of this form.

For more information about the facility listed above, see the Health Services Directory available at [HealthLinkBC.ca](https://www.healthlinkbc.ca).

For help searching the directory, call **8-1-1** (within B.C. only) to speak with a health service navigator.

Involuntary patients have rights under the *Mental Health Act*. A family member, friend, caregiver, or other representative may act on behalf of a patient in some circumstances. There is more information on page 2 of this form.

NOTIFICATION DETAILS		
Date Notification Sent (DD / MM / YYYY)	Method of Notification <input type="radio"/> Hand Delivery <input type="radio"/> Registered Mail – list address → <input type="radio"/> Secure Electronic Delivery →	Registered Mail Address
Time Notification Sent (24HR HH:MM)		City _____ Province _____ Postal Code _____ Email Address _____
Additional Details		

FOR FACILITY USE ONLY		
<input type="checkbox"/> Receipt of notification to near relative was confirmed on:	Date (DD / MM / YYYY)	Confirmation / Tracking Number (if applicable)

# Information about involuntary patients under the *Mental Health Act*



## How does a person become an involuntary patient?

A person can become an involuntary patient if a doctor or nurse practitioner assesses them and forms the opinion they **meet all 4 of the criteria** to be an involuntary patient under the *Mental Health Act*.

1. They have a mental disorder that seriously impairs their ability to react appropriately to their environment or associate with other people.
2. They need psychiatric treatment either in or through a designated facility.
3. They need care, supervision and control in or through a designated facility to prevent their substantial mental or physical deterioration or to protect themselves or others.
4. They cannot be suitably admitted as a voluntary patient.

The doctor or nurse practitioner must write the reasons they believe the person meets these 4 criteria on a certificate called a **Form 4.1/4.2: Medical Certificate** or **Form 6: Renewal Certificate**. The person can ask to see their certificate.

When possible, the treatment team will involve the person in planning their treatment. They may have to take medication or other forms of treatment even if they do not want to.

The person can leave the facility *only* if their doctor permits it.



## How long can someone be kept as an involuntary patient?

When a doctor or nurse practitioner completes the first medical certificate, the person might need to stay in the facility for up to 48 hours. If another doctor assesses the person and completes a second medical certificate, the person might need to stay in the facility for up to 1 month.

A doctor must assess the person regularly to check their progress. The person stops being an involuntary patient as soon as a doctor's opinion is they no longer meet all 4 criteria. The person could then choose to continue treatment as a voluntary patient.

If the doctor's opinion is the person still meets all 4 criteria, they could renew the medical certificate.

- The first renewal period is for up to another month.
- The second renewal period is for up to 3 months.
- Each renewal period after that is for up to 6 months.

In some cases, a doctor might decide that the person will be on "extended leave". This means they are still an involuntary patient but can leave the facility and must follow their treatment plan in the community.



## What is the role of a Rights Advisor?

Involuntary patients can meet with a Rights Advisor. A Rights Advisor can provide information about their rights and options under the *Mental Health Act*. They support the person to make decisions. Their help is free.

Rights Advisors do not work for the government, facility, or treatment team. Meetings with a Rights Advisor are private. The person can choose to invite a support person (e.g., family member, friend) to their Rights Advice meeting.



## How does the person get a second medical opinion on their treatment?

The person can ask for another opinion from a second doctor if they do not agree with their mental health treatment. This doctor will assess the person and give a second opinion on whether their treatment is appropriate. The second opinion must be considered, but it might not lead to a change in the person's treatment plan.

A family member, friend, or other representative can also ask for a second medical opinion on behalf of the person.

To ask for a second medical opinion, fill out **Form 11: Request for Second Medical Opinion**.



## How does the person get a review panel hearing?

The person can ask for a review panel hearing if they do not agree that they should be an involuntary patient. There are 3 people on the panel who hear the person's case and decide whether they still meet all 4 criteria to be an involuntary patient. The people on the panel do not work for the government, facility, or treatment team. They cannot decide about the person's treatment.

A review panel hearing can be requested after the second medical certificate, and after each renewal certificate. Each hearing is free.

A family member, friend, or other representative can ask for a review panel hearing on behalf of the person. To apply for a hearing, fill out **Form 7: Application for Review Panel Hearing**.

If an application is made for a review panel hearing, the involuntary patient and a near relative will be informed of the time and date of the hearing. The near relative has the right to take part in the review process.



## Can a judge review the case in court?

Involuntary patients can apply to the court to ask a judge to review their case. A family member, friend, or other representative can also apply to the court on behalf of the person. There are 2 options:

1. The judge can see if there is evidence that proper procedures were followed and there is legal authority to keep the person as an involuntary patient. This is called a *habeas corpus* application. It protects people from unlawful detention.
2. The judge can see if there is enough reason or legal authority to keep the person as an involuntary patient. This is called a Section 33 application.

A lawyer might be needed to help with a court application. There could be a cost for this service.

An involuntary patient has the right to contact a lawyer at any time.