

Mental Health Act of BC



Interior Health
Every person matters

Patient Information

www.interiorhealth.ca

What is the Mental Health Act?

The Mental Health Act (MHA) is a law that covers the admission and treatment of people with mental health disorders. The MHA protects people who are unable to make decisions about their own mental health care due to their mental illness.

Admission to a designated hospital can be either voluntary or involuntary.



**MENTAL HEALTH
AND SUBSTANCE USE**



*“Your illness does not define you,
your strength and courage does”*

Unknown

Voluntary

Voluntary admission is a person’s decision to come into hospital for assessment and/or treatment made between the person and their doctor. Sometimes families or significant others can provide input into this decision. A voluntary patient can leave against medical advice; however, if the care team thinks it is unsafe to leave, the patient may be deemed “involuntary”.

Involuntary

A person can be admitted against their will if they meet the four criteria for an involuntary patient:

1. They have a mental disorder that seriously impairs their ability to react appropriately to their environment or to associate with others
2. They require psychiatric treatment in a facility
3. For prevention of further illness and to prevent harm to themselves or others
4. They are deemed by a doctor not suitable as a voluntary patient

Only a doctor can admit a person involuntarily, but a judge, police officer or family member can recommend someone be assessed to see if they need admission.

Police officers can bring a person to the hospital if they believe they should be assessed and admitted under the MHA.

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| Healthlink BC Call 8-1-1 www.healthlinkbc.ca | Nurse | 24 hours a day | Daily | <i>Call 8-1-1 to speak with a nurse, ask a dietitian about nutrition, or a pharmacist about your medication.</i> |
| | Dietitian | 9 am–5 pm | Mon–Fri | |
| | Pharmacist | 5 pm–9 am | Daily | |
| | Hearing Impaired | Call 7-1-1 | | |

Mental Health Act of BC (cont'd)

Involuntary (cont'd)

When a person is first admitted as an involuntary patient, they can be held for up to 48 hours. A form will be filled out by a doctor detailing the reason for admission. Within the first 48 hours, another form will be completed by a second doctor and if involuntary admission is still needed the person can be held for 30 days.

During this time, the person will not be able to discharge themselves and leave treatment. A doctor may recommend discharge at any time if the person no longer meet the criteria for involuntary admission.

Though a person may be held involuntarily, they still have rights under the MHA. Upon admission, a staff member will inform the patient of their rights, verbally and in writing. Rights include:

1. The name of the hospital and location where they will be receiving treatment.
2. The reason why they are being admitted and treatment they can expect.
3. The right to contact a lawyer or other advocate.
4. The right to regular reviews of treatment by a doctor.
5. The right to apply for an appeal hearing.
6. The right to have the validity of their detention determined by a court.
7. The right to apply to a higher court for discharge from treatment.
8. The right to a second medical opinion.

When the person is discharged, they will be given a copy of their rights.

If the person leaves at any time during treatment without authorization, the police will be notified and the person will be brought back to the closest designated hospital.

Involuntary patients may be given permission by a doctor to leave the facility for short passes, day passes and/or overnight stays to ensure they will be safe at home.

Being an involuntary patient under the MHA can be an upsetting experience for people and their family, there is support available.

Online Resources

Mental Health Act in Plain Language:

Go to: www.health.gov.bc.ca

Search: “mental health act in plain language”
(include quote marks)

Guide to the Mental Health Act:

Go to: www.health.gov.bc.ca

Search: “guide to the mental health act”
(include quote marks)

Early Psychosis Intervention:

www.earlypsychosis.ca

Local Resources

Your local Mental Health & Substance Use office:
