



Health

SURNAME

MRN

OTHER NAMES

MALE  FEMALE

Facility:

D.O.B. \_\_\_\_ / \_\_\_\_ / \_\_\_\_

M.O.

ADDRESS

### SCHEDULE 3A STATEMENT OF RIGHTS FOR VOLUNTARY PATIENTS

LOCATION

COMPLETE ALL DETAILS OR AFFIX PATIENT LABEL HERE

## MENTAL HEALTH ACT 2007 SECTION 74A (3)

### STATEMENT OF RIGHTS

#### Your rights

You should read the questions and answers below to find out your rights and what may happen to you after you become a patient in a mental health facility.

#### What happens about my treatment at a mental health facility?

The medical staff must tell you about your treatment, treatment alternatives and the effects of treatment if you ask. They must also tell you about treatment plans and recovery plans for your ongoing care and get your agreement to them, if you are able to agree.

You can accept or refuse any treatment and you can stop agreeing to a treatment at any time. You must not be given excessive or inappropriate medication.

#### Who else may be at a mental health facility?

Other patients in the mental health facility may be very ill and being kept and treated in the mental health facility without their agreement.

#### How can I get out of a mental health facility?

You can leave the mental health facility at any time but you need to tell a staff member that you wish to leave. You may also be discharged by the medical superintendent or another authorised medical officer if they think you are not likely to get a benefit from more care or treatment as a patient.

#### When can I be kept in a mental health facility against my will?

You can be kept in a mental health facility against your will if you are certified by the facility doctor as a mentally ill person or a mentally disordered person. You may be kept for up to 2 hours against your will so that the facility doctor may see you to decide whether to certify you.

A mentally ill person is someone who has a mental illness and who needs to be kept in a mental health facility for their own protection or to protect other people. A mentally disordered person is someone whose behaviour shows that they need to be kept in a mental health facility for a short time for their own protection or to protect other people.

The facility cannot continue to keep you against your will unless at least one other doctor also finds that you are a mentally ill person or a mentally disordered person. At least one of the doctors who sees you must be a psychiatrist.

#### Is there any review of decisions about me or of my case?

If a mental health facility doctor who is not the medical superintendent refuses to admit you as a voluntary patient or decides to discharge you from the facility, you can ask the medical superintendent of the facility to review that decision.

If you are a patient in a mental health facility for more than 12 months, the Mental Health Review Tribunal will review your case and also find out whether you have agreed to stay as a patient. The Tribunal may order you to be discharged after reviewing your case.

#### Can I be given electro convulsive therapy (ECT) against my will?

No.

#### Who can I ask for help?

You may ask any facility staff member, social worker, doctor, official visitor, chaplain, your own lawyer or the Mental Health Advocacy Service for help. The Mental Health Advocacy Service telephone number is 02 9745 4277.

#### Can I see an official visitor?

You may ask any facility staff member if you can see an official visitor. Staff will arrange for a visit by an official visitor.

#### Can I ask a friend or relative to act for me?

You may nominate up to 2 people to be your designated carers, including a person who is also your principal care provider, while you are in a mental health facility. A designated carer or your principal care provider may ask for information on your behalf and will be informed if you are kept in a mental health facility, transferred or discharged and of proposed special mental health treatments. You and a designated carer or any other person who is your principal care provider also have the right to be given information about follow-up care if you are discharged.



SMR025106

Holes Punched as per AS2828.1: 2012

BINDING MARGIN - NO WRITING

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