

## Psychiatric Patients Placement in Boarding Houses and Other Accommodation Facilities

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**Functional Sub group** Clinical/ Patient Services - Mental Health

**Summary** Directs that psychiatric patients discharged from mental health facilities are not to be referred to premises that are not licensed under the Youth and Community Services Act.

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**Applies to** Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Community Health Centres, Government Medical Officers, NSW Dept of Health, Private Hospitals and Day Procedure Centres, Private Nursing Homes, Public Hospitals

**Distributed to** Public Health System, Community Health Centres, Government Medical Officers, NSW Department of Health, Public Hospitals, Private Hospitals and Day Procedure Centres, Private Nursing Homes, Tertiary Education Institutes

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**File No.** C21070

**Previous reference** 90/87

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**Status** Active

### Director-General

This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for NSW Health and is a condition of subsidy for public health organisations.

**CIRCULAR**

<b>File No</b>	C21070
<b>Circular No</b>	90/87
<b>Issued</b>	12 September 1990
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**PLACEMENT OF PSYCHIATRIC PATIENTS IN BOARDING HOUSES AND OTHER ACCOMMODATION FACILITIES**

The Department of Family and Community Services (FACS) has responsibility for licensing of 'residential centres for handicapped persons' within the meaning of the Youth and Community Services Act 1973, as amended.

The Act is aimed at ensuring the protection of the welfare rights of people with disabilities, in situations where no lease exists, and where services are delivered to residents. While private boarding houses were a significant target for the legislation, the Act also covers group homes and hostels operated by non-government organisations and private operators. In NSW, there are over 22,000 people living in premises identified as residential centres for the purposes of licensing.

The Act uses the following definitions:

'Handicapped person' means a person who is senile, temporarily or permanently incapacitated for work, mentally ill, intellectually handicapped, physically handicapped, sensorily handicapped, chronically ill, of advanced age or suffering from any medical condition prescribed by the regulations, or any combination of these disabilities, and who requires supervision or social habilitation. This definition includes mentally ill people.

'Residential centre for handicapped persons' means any premises comprising or of the nature of lodgings or a boarding house, home or hostel:

- a. at which 2 or more handicapped persons reside

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Distributed in accordance with circular list(s):

**A** 82   **B** 67   **C** 84   **D** 64   **E** 21  
**F** 25   **G**        **H**        **I**        **J** 78  
**K** 24   **L** 29   **M** 14   **N**        **P** 16   **Q**

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In accordance with the provisions incorporated in the Accounts and Audit Determination, the Board of Directors, Chief Executive Officers and their equivalents, within a public health organisation, shall be held responsible for ensuring the observance of Departmental policy (including circulars and procedure manuals) as issued by the Minister and the Director-General of the Department of Health.

- i. subject to the payment of a fee or the giving of some other consideration; and
  - ii. otherwise than with a person who is a relative of those persons, is of or above the age of 18 years and is not a handicapped person; or
- b. declared to be a residential centre for handicapped persons by an order in force under Section 3A.

The Regulations under the Act require minimum physical standards of premises, and demand good practice in record-keeping, management of residents' money, administration and storage of medication, and service provision in general.

A complaints procedure operates within FACS for residents of premises subject to licensing.

**Department, Region and Area Health Services staff involved in the placement of psychiatric patients discharged from mental health facilities should be aware of the provisions of the Youth and Community Services Act, 1973, and should not refer patients to premises which are unlicensed.**

A list of licensed premises, as at June 1990, is available from the Mental Health Services Unit and copies will be made available to interested staff on request. Staff are advised, however to obtain regular updated lists directly from the following officer of the Department of Family and Community Services:

The Co-ordinator  
Disability Services Licensing Program  
Department of Family and Community Services  
Level 4  
323 Castlereagh Street  
SYDNEY NSW 2000  
Telephone: (02) 289-8453

B.J. Amos,  
Director General