

**MENTAL HEALTH ACT 1990—REGULATION**

(Relating to records of involuntary patients)

NEW SOUTH WALES



*[Published in Gazette No. 7 of 17 January 1992]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Mental Health Act 1990, has been pleased to make the Regulation set forth hereunder.

JOHN HANNAFQRD  
Minister for Health and Community Services.

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**Commencement**

1. This Regulation commences on 20 January 1992.

**Amendment**

2. The Mental Health Regulation 1990 is amended:
  - (a) by omitting clause 44 and by inserting instead the following clause:

**Involuntary admissions to be reported to Tribunal**

44. (1) The medical superintendent of a hospital must report to the Tribunal particulars of each person (other than a forensic patient or an informal patient) admitted to the hospital as a patient and each person who is detained as a patient after being an informal patient.

(2) The report is to be to the effect of Form 29 and is to be made as soon as practicable (but not later than 21 days) after the occurrence of the first of any of the following events in relation to a patient or detained person:

- (a) the conclusion of a Magistrate's inquiry in respect of a patient;

- (b) the discharge of a patient by the hospital;
  - (c) a patient becoming an informal patient after being detained in the hospital as a temporary patient or continued treatment patient;
  - (d) a person ceasing to be detained in the hospital.
- (3) A report is not required to be made by the medical superintendent of a hospital about any temporary patient or continued treatment patient transferred to the hospital from another hospital.
- (b) by omitting Form 29 from Schedule 1 and by inserting instead the following form:

**FORM 29**

(C1. 44)

## MENTAL HEALTH ACT 1990

## Section 302 (2) (m)

## PSYCHIATRIC ADMISSIONS

(Advice to Mental Health Review Tribunal)

**INSTRUCTIONS**

Follow the instructions set out below to fill out this form. Tick the boxes provided or write in the information required.

**For patients reclassified from informal patients to involuntary patients**

Fill out Sections A, B and D only of this form.

**For other patients (not being forensic patients or informal patients) detained in the hospital**

Fill out Sections A, C and D only of this form.

**When to fill out the form**

The form should be filled out as soon as practicable after the occurrence of the first of any of the following events in relation to a patient or detained person:

- conclusion of Magistrate's inquiry in respect of a patient
- discharge of a patient

- a temporary patient or continued treatment patient being reclassified as an informal patient
- a person ceasing to be detained in the hospital

**Where to send the form**

This form is to be sent not later than 21 days after the first event occurs to:

**The Registrar  
Mental Health Review Tribunal  
P.O. Box B19  
BORONIA PARK NSW 2111 Fax No. (02) 817 4543**

Should you have any questions about the form contact the Registrar or Deputy Registrar of the Tribunal on (02) 816 5955.

**SECTION A. INVOLUNTARY**

To be completed for all **involuntary** patients.

- Q1. Hospital \_\_\_\_\_
- Q2. Medical Record Number \_\_\_\_\_
- Q3. Date of Birth \_\_\_\_\_
- Q4. Sex \_\_\_\_\_
- Q5. Country of Birth \_\_\_\_\_
- Q6. Interpreter required Yes [ ] No [ ] Language \_\_\_\_\_

**SECTION B. RECLASSIFICATION**

To be completed for all Patients **reclassified** from informal to involuntary and for all patients presenting voluntarily but who are scheduled at the admission office.

- Q7. If the patient was reclassified to involuntary, when was this done?

**SECTION C. INITIAL ADMISSION**

To be completed for patients taken to hospitals only.

- Q8. Date taken to hospital \_\_\_\_\_
- Q9. **Method of referral** (Tick one box)
- |  |       |
|--|-------|
| <input type="checkbox"/> Certificate of Medical Practitioner | s. 21 |
| <input type="checkbox"/> Request by Relative/Friend          | s. 23 |
| <input type="checkbox"/> Apprehension by Police              | s. 24 |

- Order under s. 33 Mental Health (Criminal Procedure Act) 1990 s. 25  
 Welfare Officer or Welfare Officer with police assistance s. 26  
 Authorised medical practitioner's certificate ss. 21, 27  
 Breach of Community Treatment Order s.142
- Q10. After examination, was the patient admitted?  
 yes  No
- Q11. On admission was the patient classified as  
 Informal  
 Involuntary, mentally ill  
 Involuntary, mentally disordered
- Q12. Was patient discharged by hospital before Magistrate's inquiry?  
 yes  No  
 If yes, when? \_\_\_\_\_

#### SECTION D. INVOLUNTARY

To be completed for all **involuntary** patients.

- Q13. Was the patient presented to a Magistrate?  
 Yes  No
- Q14. If yes to Q13, what was the date of the inquiry?  
 \_\_\_\_\_  
 (If inquiry Completed, proceed with Q16.)
- Q15. Was the case adjourned?  
 Yes  No If yes, until when? \_\_\_\_\_  
 (N.B. If the patient was then presented again at a resumed hearing, proceed with Q16.)
- Q16. At the first or resumed hearing, what was the Magistrate's decision?  
 Discharge  
 Defer discharge. For how long? \_\_\_\_\_  
 Classify patient as Temporary Patient.  
 Until when? \_\_\_\_\_  
 Make a Community Treatment Order  
 Make a Community Counselling Order  
 Any other order (please specify) \_\_\_\_\_  
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**EXPLANATORY NOTE**

The object of this Regulation is to prescribe a form for the provision to the Mental Health Review Tribunal of information about psychiatric patients admitted to hospitals.

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