

Chief Psychiatrist

ADVISORY NOTE

Transportation of a person whose Psychiatric Treatment Order (PTO) has been changed from Community to Inpatient Treatment

PURPOSE	<p>Where a person, subject to a PTO, is receiving treatment in the community and subsequently requires inpatient admission, this advisory note outlines the process to be followed for the transportation of the person to an approved mental health facility.</p> <p>This advisory note should be read in conjunctions with AN21-006 - Psychiatric Treatment Order – Change in Location from Community to Inpatient Treatment.</p>
SCOPE	Doctors, Mental Health Officers, Mental Health Clinicians
DEFINITIONS	<p>Approved mental health facility is a place approved by the Minister for Mental Health under s. 261 of the Act.</p> <p>Chief psychiatrist determination contains details on the treatment care and support a person subject to a PTO is to receive including whether the person requires admission to an approved mental health facility. The chief psychiatrist determination is contained in the Treatment Plan and Location Determination (TPLD) form.</p> <p>Delegate to the chief psychiatrist is a psychiatrist who has delegate powers as a Chief Psychiatrist under the Act.</p>
ADVICE	<p><u>Updated chief psychiatrist determination (TPLD)</u></p> <ol style="list-style-type: none">1. Where a person subject to a community-based PTO subsequently requires admission to an approved mental health facility the chief psychiatrist determination (TPLD) must be updated and approved by a delegate of the chief psychiatrist to reflect the change in treatment location prior to the person being transported (for out of hours approvals see AN21-006).2. Once the determination has been finalised a copy of the TPLD must be provided to the consumer with clear instructions that the person is required to attend the stated approved mental health facility.3. Transport arrangements can be made for the person to be transported voluntarily.

	<p><u>Transportation with agreement consumer</u></p> <p>4. If the consumer agrees to be transported to the approved mental health facility outlined in the updated TPLD then the consumer can liaise with the clinicians or mental health officer about the most appropriate mode of transport.</p> <p><u>Transportation without consumer agreement</u></p> <p>5. If the consumer refuses to attend the nominated approved mental health facility stated in the updated TPLD then the noncompliance amounts as a contravention of the mental health order under section 77 of the <i>Mental Health Act 2015</i>. Contravention action can be taken in accordance with section 77 as follows:</p> <ul style="list-style-type: none"> a. S 77 (2) (a) - verbal warning advising the person to comply, if non-compliance continues then: b. S 77 (2) (b) written warning advising the person to comply or further detention may occur, if non-compliance continues then: c. S77 (2) (c) & require the person to be taken to an approved mental health facility as per the determination. d. S 77 (2) (d) if a person is required to be detained under s 77 (2) (c) a police officer, authorised ambulance paramedic, mental health officer or doctor can apprehend the person and take the person to the approved mental health facility. <p>6. The verbal and physical provision of the updated TPLD to the consumer is sufficient verbal and written warning for the purposes of section 77 (2) (a) & (b).</p> <p>7. A delegate of the chief psychiatrist can approve the contravention action outlined in section 77.</p> <p>Note: For the completion of updated/new TPLD's out of hours see (AN21-006)</p>
RELATED LEGISLATION	<u>Mental Health Act 2015</u>
RELATED DOCUMENTS	AN21-006 - Psychiatric Treatment Order – Change in Location from Community to Inpatient Treatment