



FORM 14.1 - MENTAL HEALTH ACT
YOUR RIGHTS UNDER THE MENTAL HEALTH ACT
AS A PATIENT UNDER AGE 16 ADMITTED
ON REQUEST OF A PARENT OR GUARDIAN

(Sections 34.1 and 34.3, R.S.B.C. 1996, c. 288) HLTH 3514.1 2025/07/30

Your parent or guardian asked that you be a patient in this mental health facility. A doctor or nurse practitioner assessed you. Their opinion is you are experiencing a serious mental health issue and you need psychiatric treatment. The facility must provide you with appropriate care, treatment, and support.

You have rights under the Mental Health Act. Page 1 of this form is a summary of your rights. These will be reviewed and discussed with you. More details about these rights are on page 2. You can ask questions or for more information at any time. You will get a copy of this form.



You must be informed where you are getting mental health treatment.

You are being treated at: \_\_\_\_\_ in \_\_\_\_\_
Designated Facility Name City or Town



You must be informed why you are getting treatment in a mental health facility.



A doctor must assess you regularly to check if you should still be treated in a mental health facility.



You can meet with a Rights Advisor.

Rights Advisors explain your rights, answer questions, and provide options. They do not work for the government, facility, or treatment team. Rights Advisors meet with you in private and do not share what you talk about. Their help is free.



You can apply for a hearing with a review panel if you do not agree that you should be a patient in the facility.

The people on the panel do not work for the government, facility, or treatment team. They are not involved in decisions about your treatment. They hear your case and decide if you should still stay in the mental health facility. The hearing is free.



You can speak to a lawyer.

A Rights Advisor can help you with finding a lawyer or other legal help.



You can apply to the court for a judge to review your case.

The judge can see if:

- 1. There is evidence that proper procedures were followed and there is legal authority to keep you as a patient in the facility.
2. There is enough reason or legal authority to keep you as a patient in the facility.

You may sign this form if you wish. (check all that apply)

- I confirm that my rights under the Mental Health Act have been reviewed and discussed with me.
I want to meet with a Rights Advisor. I understand I can meet with a Rights Advisor whether I sign this or not.
I understand my name, personal health number, and contact information will be shared with the Rights Advisor.

First and Last Name of Youth (please print)

Signature of Youth

Date (DD / MM / YYYY)

TO BE COMPLETED BY THE TREATMENT TEAM MEMBER PROVIDING RIGHTS NOTIFICATION (check all that apply)

- This form has been reviewed and discussed with the youth.
The youth is not able to review and discuss this form at this time. They will be reassessed regularly and the rights notification will be attempted again.
The youth declined to complete the form.

Table with 4 columns: Name (please print), Role, Date (DD / MM / YYYY), Time (24HR HH:MM)

# Your rights under the *Mental Health Act* as a patient under age 16 admitted on request of a parent or guardian



## Why am I in a mental health facility?

Your parent or guardian asked that you be a patient in the mental health facility. A doctor or nurse practitioner has assessed you. Their opinion is you meet the following criteria under the *Mental Health Act*:

1. You have a mental disorder that seriously impairs your ability to react appropriately to your environment or associate with other people.
2. You need psychiatric treatment.

The doctor or nurse practitioner must write the reasons they believe you meet these criteria in your medical record. You can talk with your treatment team about the reasons you have to stay in the facility. You can ask questions at any time.

When possible, your care team will involve you in planning your treatment. You might have to take medication or other forms of treatment even if you do not want to. Your parent or guardian may also be involved in deciding the plan.



## How long do I have to stay in the mental health facility?

After a doctor or nurse practitioner assesses you and you become a patient in the facility, you might have to stay for up to 1 month.

A doctor must assess you regularly to check your progress. You will be able to leave the facility:

- as soon as a doctor's opinion is you no longer meet the criteria to be kept in the facility, or
- if your parent or guardian asks that you be released from the facility.

If the doctor's opinion is you still meet the criteria, your stay in the facility could be renewed.

- The first renewal period is for up to another month.
- The second renewal period is for up to 3 months.
- Each renewal period after that is for up to 6 months.



## How can a Rights Advisor help me?

You are encouraged to meet with a Rights Advisor. A Rights Advisor can give you information about your rights and options under the *Mental Health Act*. They support you to make decisions. Their help is free.

A Rights Advisor can also help connect you with local resources and supports, including those for Indigenous persons.

You can choose to invite a support person (e.g., family member, friend) to your Rights Advice meeting.



## How do I get a review panel hearing?

You can ask for a hearing with a review panel if you do not agree that you should be a patient in the mental health facility. There are 3 people on the panel who hear your case. They decide whether you still meet the criteria for being kept in the mental health facility. They cannot decide about your treatment.

You can ask for a review panel hearing each time your stay in the facility is renewed. Each hearing is free.

To apply for a hearing, fill out **Form 7: Application for Review Panel Hearing**. A support person can also apply for a review panel on your behalf. A Rights Advisor or a member of your treatment team can give you more information and help you apply for a review panel.



## How do I access a lawyer?

You can contact a lawyer at any time. A Rights Advisor can give you information about finding a lawyer or other legal help. They can also help you find out if you can get legal aid.



## How can I get a judge to review my case?

You can apply to the court to ask a judge to review your case. You might need a lawyer to help with this. A support person can also apply to the court on your behalf. A Rights Advisor can give you more information about applying to the court and getting legal help. There are 2 options:

1. The judge can see if there is evidence that proper procedures were followed and there is legal authority to keep you as a patient in the facility. This is called a *habeas corpus* application. It protects people from unlawful detention.
2. The judge can see if there is enough reason or legal authority to keep you as a patient in the facility. This is called a Section 33 application.



## How can I report a concern about my experience in the mental health facility?

There are steps you can take if you have concerns about your care or how you have been treated. The options depend on the type of concern you have. A Rights Advisor can explain what options are available and how to report your concerns.