

NOTIFICATION TO NEAR RELATIVE (ADMISSION OF INVOLUNTARY PATIENT OR PATIENT UNDER AGE 16)

This is to notify

_____ ,
name of near relative (please print)

_____ ,
address and phone number (please print)

being a near relative of _____ that on _____
name of patient (please print) *date (dd / mm / yyyy)*

the above patient was admitted and is being detained as an involuntary patient
or as a patient under age 16 (tick off the statement which applies)
 a patient under age 16

in _____ , _____
name of designated facility *address of designated facility*

RIGHTS INFORMATION

1. Duration of involuntary patient status

A patient who is an involuntary patient as a result of the completion of two medical certificates, under section 22 of the Act, may be detained for one month from the date of admission. If not already discharged, the patient must be discharged at the end of that month unless the authority for the patient's detention is renewed in accordance with section 24 of the Act.

2. Renewal certificate

An involuntary patient who has not been discharged has the right to be examined by a physician before the patient's medical certificate or renewal certificate expires, to determine whether the patient should be discharged. If the patient does not meet the criteria for continued treatment as an involuntary patient, the patient must be discharged or have his/her status changed to that of voluntary patient. If the physician determines that the patient continues to meet the criteria for involuntary admission, the physician must complete Form 6, Medical Report on Examination of Involuntary Patient (Renewal Certificate).

Section 24 of the Act provides that medical certificates may be renewed as follows:

- from the end of the first month, for 1 further month;
- for a further 3-month period following the end of the second month;
- from the end of this 3-month period, for a period of 6 months; or
- for further successive periods of 6 months.

In the case of a patient under age 16 admitted at the request of a parent or guardian under the Act, the same requirements for a medical examination and the same time periods apply. The physician must complete Form 3, Medical Report (Examination of a Person Under 16 Years of Age, Admitted at Request of Parent or Guardian) (Renewal Certificate).

3. Review panel application by or on behalf of an involuntary patient

An involuntary patient, or a person acting on the patient's behalf, has the right, under section 25 of the Act, to request a review of the patient's detention. This must be done on Form 7, Application for Review Panel Hearing. The review panel office's address is listed at the end of this form.

If an application has been made for a review panel hearing, the patient and a near relative will be informed of the time and date of the hearing. The patient may name which near relative is to be notified. The near relative has the right to participate in the review process.

4. Review panel application by or on behalf of a patient under age 16

A patient under 16 years of age who was admitted to a designated facility by a parent or guardian, who asks to be discharged and whose request for discharge is not supported by the patient's parent or guardian, has the right under section 21 of the Act to request a review by a review panel. A person acting on the patient's behalf may also make the application.

If an application has been made for a review panel hearing, the patient and a near relative will be informed of the time and date of the hearing. The near relative has the right to participate in the review process.

5. Right to apply to the Supreme Court of British Columbia

The patient or someone acting on the patient's behalf may have the validity of the patient's admission and detention determined by way of an application (in the nature of *habeas corpus*) to the court under the *Judicial Review Procedure Act*. The patient or someone acting on the patient's behalf may also apply to the court under section 33 of the Act, to determine whether there is sufficient reason and authority for the medical certificate. Legal advice concerning these matters may be obtained from independent counsel or through the Legal Services Society or the Community Legal Services Society (CLAS).

The phone number of the local Legal Services Society office is _____.

The phone number for CLAS is _____.

6. Second medical opinion

Under section 31 of the Act, the patient, or a person acting on the patient's behalf, has the right to request a second medical opinion on the appropriateness of the patient's treatment. This must be done using Form 11, Request for Second Medical Opinion.

The right to request a second medical opinion does not apply to a patient under age 16 admitted at the request of a parent or guardian.

NOTE: If you are in agreement with the hospitalization of the above patient, you need not take any further action.

director's (or delegate's) signature

date signed (dd / mm / yyyy)

director (or delegate) (please print)

Mental Health Review Board
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