

2020

Your Rights

Under the Involuntary Psychiatric Treatment Act

Aussi disponible en
français : *Vos droits -
En vertu de la loi sur le
traitement psychiatrique
obligatoire (Involuntary
Psychiatric Treatment Act)*
(FF85-2183)



Under the Involuntary Psychiatric Treatment Act there are a number of ways you can be admitted to a psychiatric hospital.

These include:

Voluntary admission

You (or the person who can legally act for you) and a psychiatrist agree that you would benefit from being in the hospital and you are able to make the decision to be admitted.

- As a voluntary patient, you may leave when you want unless staff feel you meet the criteria to be held as an involuntary patient. If staff feel this way, they must let you be seen by a physician within 3 hours, otherwise you may leave the hospital if you choose to.

Medical exam

You may be brought by police or under a court order to the hospital, to receive a medical exam.

- If so, you must receive a medical exam within 24 hours (1 day). Once 24 hours has passed, you may be held for an involuntary psychiatric assessment, or you must be told you may leave the hospital if you choose to.

Involuntary psychiatric assessment

You are assessed by a psychiatrist when a physician believes that you need a psychiatric assessment because:

- › You have a mental disorder which is likely to result in serious harm to yourself or to another person
 - › Your physical or psychological health may worsen without mental health care;
 - › You would benefit from being in hospital; and
 - › You do not meet the criteria for a voluntary psychiatric assessment.
- You can be held for an involuntary psychiatric assessment for 72 hours (3 days). If, at the end of 72 hours, a **Declaration of Involuntary Admission*** has not been completed, you may leave the hospital if you choose to.

***A Declaration of Involuntary Admission is a form that must be completed by a psychiatrist in order for you to be admitted to the hospital as an involuntary patient.**

Involuntary admission

A psychiatrist decides that you would benefit from being in the hospital and you are not able to make the decision to be admitted yourself.

- You may be admitted involuntarily to a psychiatric hospital when, based on a psychiatric assessment, a psychiatrist finds that you have a mental disorder and that you would benefit from being in hospital, and:
 - › You are unable to make decisions about your admission or treatment; and
 - › You are threatening or attempting to hurt yourself or others or you are likely to suffer serious physical harm; and/or
 - › Your mental disorder is expected to get worse if you are not in the hospital.

Hospital staff are required to notify a Patient Rights Advisor of your involuntary admission immediately. You, or the person who can legally act for you, are encouraged to meet with a Patient Rights Advisor. The Patient Rights Advisor will provide you with information and answer questions about your rights under the Act.

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When you are admitted to the hospital as an involuntary patient, you and the person who can legally make treatment decisions for you, must be advised in writing and/or have the following explained to you by a staff member of the hospital:

- The name and location of the psychiatric hospital in which you have been admitted;
- That you can be discharged if a Declaration of Involuntary Admission is not renewed immediately within a month of admission, and then within a month of the first renewal, within 2 months of the second renewal and within 3 months from then on;
- Your right to find and communicate with legal counsel (a lawyer) at any time while you are in the hospital;
- To have a hospital staff member explain any document or written communication that affects you; and
- Your right to apply for a review of your status by the Psychiatric Facilities Review Board. This board is a panel of people that review matters in respect of your status such as:
 - › When you have been held in hospital against your wishes;

- › When you have been found incapable of making decisions about your care;
- › When someone other than you has been appointed to make decisions about your health care; or
- › When your Community Treatment Order or Certificate of Leave has been cancelled. (Community Treatment Orders and Certificates of Leave allow you to live in the community, as long as you follow the hospital's expectations.)

**For more information,
please contact:
The Patient Rights Advisor Service
Phone: 902-404-3322
or (toll-free): 1-866-779-3322
Fax: 902-404-3434**

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The information in this pamphlet is to be updated every 3 years or as needed.