

Patient Assistance Request Protocols

Mental Health Services, SA Ambulance Service and SA Police

What are these protocols?

These protocols are an addition to the *Mental Health and Emergency Services Memorandum of Understanding 2010* to address the mid-2017 amendments to the *Mental Health Act 2009* (the Act). These protocols do not have legal effect themselves. Instead, health professionals, ambulance officers and police officers draw their relevant powers from sections 54A, 55, 56, 57, 58 and 59 of the Act and must consider the Act's requirement for officers of all agencies to endeavour to comply with the *Memorandum* and these protocols.

What is a patient assistance request?

A patient assistance request is the lawful way for a person subject to a community treatment order, who is non-compliant with their medication, to have their medication administered involuntarily by a mental health team in their own home or in another community place with the assistance of SA Police or SA Ambulance Services, if it is safe and appropriate to do so.

What is the purpose of a patient assistance request?

The purpose of a patient assistance request is to provide involuntary treatment to a person subject to a community treatment order in the least restrictive environment, with the aim of preventing an escalation of risk to their health, their safety, or the safety of others.

When can a patient assistance request be used?

A patient assistance request can be used if a person subject to a community treatment order does not comply with the requirements of the order (usually medication) creating serious risk to themselves or others. A patient assistance request is one of the options of last resort when a medical practitioner or mental health clinician has assessed an imminent or current serious safety risk to the person, to the health professional or to others. A patient assistance request adds a third option for circumstances of imminent or current serious risk, in addition to a patient transport request (for treatment under the community treatment order at a treatment centre or other health service site) or an inpatient treatment order.

How is a patient assistance request made?

A patient assistance request is made using Form MRMHA-J, following the process outlined below. Copies of Form J can be forwarded to SAPOL and SA Ambulance Services by digital scan, photocopy or photograph and can be shared via email, fax, mail or telephone.

What is the role of medical practitioners and mental health clinicians?

- To attempt to provide medication to the person in accordance with the community treatment order, when safe and appropriate to do so.
- If the person is non-compliant with their medication, to assess the risk to the person, to the health professional and to others.
- If there is not serious current or imminent risk, to manage the situation within usual mental health service practice.
- If the risk is serious and is current or imminent, to contact SAPOL via the 131444 Police Assistance Line or 000 in an emergency.
- If a patient assistance request is deemed likely by the mental health team and SAPOL, the medical practitioner or mental health clinician to complete Form MRMHA-J.

What is the role of SA Police officers?

- To consider requests for assistance for situations of imminent or current risk and to provide expected timeframes if attending.
- Patrols (if responding to request):
 - To re-assess the risk to the person, to health professionals, to police officers and to others.

- If they assess the risk as serious and imminent or current, to provide security and safety while the medical practitioner and/or mental health clinicians administer medication.

What is the role of SA Ambulance Service officers?

- To provide transport should one of the other options of last resort – medication under the community treatment order at a health facility or the making of an inpatient treatment order – be required.
- SAAS assistance can be requested through the Ambulance Attendance Line on 1300 881 700 or in an emergency on 000.

What are the rights of the person?

- The person must be given a copy of the patient assistance request (Form J) and statement of rights #2 as soon as practicable by the mental health team.
- The person is entitled to the support of another person within reasonable limits, wherever possible and practical.
- (Copies only need to be provided to the person and the carer (if appropriate) in the field if it is practicable to do so, otherwise copies can be sent at a later time.)

What are the rights of a guardian, substitute decision maker (medical agent), relative, carer or friend?

The guardian, substitute decision maker (medical agent), relative, carer or friend must (if appropriate) be given a copy of the patient assistance request (Form J) and statement of rights #2 as soon as practicable by the mental health team.

What documentation is required?

- In addition to Form J, the mental health service must document the reasons for the use of the patient assistance request, the provision of copies to the person and their carer (if appropriate), and notification to the Chief Psychiatrist in the person's medical records and/or casenotes, whether electronic or paper-based.
- Police Officers and Ambulance Officers must document their participation according to their own documentation protocols.

What notifications are required?

A copy of the patient assistance request (Form J) must be sent to the Office of the Chief Psychiatrist as soon as practicable (fax: 8115 5551, e: HealthOCPMHLO@sa.gov.au).

How can disputes be resolved?

- Disputes between medical practitioners, mental health clinicians, SAPOL and SAAS should be resolved by the individuals present whenever possible, but may be referred to the Team Leader or Sector Manager of the mental health team, the SAPOL On Duty Supervisor and/or the SAAS State Duty Manager.
- Disputes involving systemic matters should be resolved at the Local Liaison Group wherever possible, prior to being referred to the Mental Health and Emergency Services Memorandum of Understanding Steering Committee.

For more information

Office of the Chief Psychiatrist
PO Box 287 Rundle Mall, Adelaide SA 5000
Telephone: (08) 8226 1091

www.chiefpsychiatrist.sa.gov.au

Public-I1-A1

© Department for Health and Ageing, Government of South Australia. All rights reserved.



www.ausgoal.gov.au/creative-commons



Government
of South Australia

SA Health