

CRISIS LINE

IF YOU OR SOMEBODY YOU KNOW IS EXPERIENCING SERIOUS MENTAL HEALTH PROBLEMS, CALL TOLL FREE, 24 HOURS A DAY.

WITHIN OTTAWA
613-722-6914
OUTSIDE OTTAWA
1-866-996-0991

ABOUT US

HELPFUL INFORMATION

FAQ

VOLUNTEERS

LINKS

HOW TO GET A PSYCHIATRIC ASSESSMENT

When a person appears to be suffering from a mental disorder, but is unwilling to obtain help, a mental health assessment may be necessary. There are options for people who want to get an assessment for someone who is refusing to have one voluntarily.

CONVINCE AND SUPPORT THE PERSON TO GET AN ASSESSMENT

- A person, who is ill in the opinion of others, but not in his or her own judgment, will sometimes agree to see a doctor if requested or encouraged to do so by someone they trust or respect. It is important to consider whether this trusted person should be the spouse or parent. Alternatively, a friend, clergy member, therapist or other individual may be more convincing and comfortable speaking with him/her.
- Start by identifying a friend or relative who might have enough influence. The friend or relative would probably need to accompany the person to an appointment or to the Hospital Emergency Department.
- You can make a request for a Qualified Assessor. The Qualified Assessor is licensed by Ministry of Attorney General. He/she will come to your house to assess and certify your family member for the treatment (that is, if your family member agrees and meets the conditions of the criteria). NOTE: There is a service fee charged by the Qualified Assessor. For more information on Qualified Assessors, visit:
<http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/capacityoffice.asp#8>

BY ORDER OF A PHYSICIAN

- Physicians practicing in Ontario have the right to sign an Application for Psychiatric Assessment (Form 1), “which authorizes the apprehension, detention and assessment of a person” who meets certain criteria under the Mental Health Act.
- If a person has seen a physician for any reason, that physician may — within 7 days of seeing the person — complete a Form 1 which specifies what symptoms the doctor observed and/or what information was provided by someone else.
- Once the person is brought to a Schedule 1 Hospital under a Form 1, the person must be assessed within 72 hours and a decision made. The decision will be either that the person **MUST** be admitted (involuntary status) or **SHOULD** be admitted (voluntary status), or that the individual does not require admission and therefore will be released from hospital.

If neither of the above apply, the alternative is to seek a...

COURT HOUSES IN OUR AREA

Always call to verify when a Justice of the Peace is available.

Ottawa

Ottawa Court House
161 Elgin Street,
2nd Floor
613-239-1169

United Counties of SD&G

Cornwall Court House
29 Second Street West
613-933-7500

Morrisburg Court House
8 - Fifth Street West
613-543-2193

Alexandria Court House
110 Main Street North
613-525-4330

Prescott/Russell

L'Orignal Court House
59 Court Street
613-675-4567

Renfrew

Pembroke Court House
31 Riverside Drive
613-732-8581

Pembroke Court House
162 Agnes Street
613-735-6886

JUSTICE OF THE PEACE ORDER

- Any person may apply for a Justice of the Peace Order (Form 2) that requires the apprehension and transport of the person to a physician. The physician can then determine if the patient requires an involuntary psychiatric assessment (Form 1) and if this is the case, the patient will be required to be brought to a Schedule 1 Hospital where psychiatric examinations can be performed on a 24-hour per day, seven-day per week basis.
- The person applying for the Form 2 must provide enough information for the Justice of the Peace to be assured of the necessity of the Form 2. There are four categories of relevant information:
 1. Evidence of mental illness — by history, or if no diagnosis has been made, by description of symptoms and behaviour (e.g., responding to voices, delusions, bizarre and/or disorganized behaviour).
 2. Danger to self or others — made suicidal statements, gestures or behaviours, threatened or assaulted others, or behaviour that has made the applicant fear people may be assaulted/at risk.
 3. Failure to care for his/her own needs — concrete examples such as no coat or socks in winter, no food in kitchen, looks weak or dehydrated, refusing food because of fear of poison, a medical condition not attended to (e.g., refusing cast on broken arm, ignoring infection) because of psychiatric symptoms.
 4. There is an additional page where you will be asked for your name and phone number and a blank portion for your written concerns. Please provide all of your phone numbers and ensure Emergency Department staff can reach you. PLEASE provide written details in this blank portion to assist Emergency Department Staff to understand your concerns. The blank portion is your opportunity to state your concerns clearly and in writing. It is especially helpful if you attach a letter outlining your concerns.

ONCE A FORM 2 IS ISSUED

- When the Justice of the Peace Order (Form 2) is in hand, it should be immediately taken to the police station.
- Provide the following:
 1. Phone number to contact you.
 2. If person has been treated at a particular hospital, request that he be taken to that hospital where medical record already exists.
 3. Written Summary of Illness for receiving doctor and of any other conditions, stapled to Form.
 4. As much information as possible about any history of violence, the presence of weapons (type & location),

and any other information for the safety of the person being apprehended and the police.

5. As much information as possible about person's probable whereabouts.

- Keep a copy of the Form.
- Get the Occurrence number and/or Case number from Police.

SOME OTHER POINTS

- If you locate person first, call the police to inform them.
- Call the Emergency at the designated hospital to tell them your person is being brought in and make them aware of your willingness to provide supplementary information.
- Police carry out this duty with 2 uniformed officers.
- No one is required to call the family of a person apprehended under a Form 2 order to advise them that the individual has been taken to hospital. It is therefore prudent to check with police from time to time.
- A Form 2 can be requested in the following circumstance to prevent things from getting really bad: if a person was treated before, got better, went off medication, is showing symptoms of illness again.

IF FORM 2 IS NOT ISSUED

- Review information presented for factual detail in the 4 categories of relevant information — go back the next day. If you feel that you left out relevant information — add it to a new application for a Form 2. If the situation has changed, or the risk to harming him or herself or another person is increased — explain this in a letter.

GETTING HELP OUTSIDE OFFICE HOURS

- Police who respond to a 911 call have to decide if the situation can be defused, or if a person should be placed under arrest and taken to jail, or if the person should be taken to a Hospital Emergency Department.
- Not all police have experience with psychiatric emergency calls; you may need to explain your concerns and specifically request that the person be assessed.
- Note: Previously a policeman had to observe behaviour which suggested illness. The Mental Health Act has been CHANGED to permit apprehending and taking a person to hospital based on information presented by others.
- You can see a Form 2 by going to **www.forms.ssb.gov.on.ca** and search for “Order for Examination” under Section 16.

OVERVIEW OF COMMON PSYCHIATRIC LEGAL FORMS

FORM 1 (Application for Psychiatric Assessment) can be used to bring someone to a psychiatry facility for an assessment that lasts up to 72 hours (three days). To put someone on a Form 1, a doctor must have personally examined the person within the previous seven days and have reason to believe that the person meets certain tests under the Mental Health Act.[†] Form 1 also ensures that another doctor will examine the person with the mental health problem. During the assessment, other mental health professionals (e.g., nurses, psychologists and social workers) may meet with the person and his or her involved family members, friends or caregivers to get additional information.

FORM 2 (Order for Examination) is used under the same conditions as the Form 1 but is issued by a justice of the peace. Typically, the Form 2 is used by a person's family or friends when it is not possible for the person to be examined by a doctor. This form allows the police to bring the person to a hospital for a psychiatric assessment. But the form does not authorize the person to be kept at the hospital. If an assessment in hospital is necessary, the examining doctor must then complete a Form 1.

FORM 3 (Certificate of Involuntary Admission) is used to admit the person to the hospital against his or her will. A Form 3 cannot be issued by the same doctor who issued the Form 1. The Form 3 means that the person will have to stay in hospital for up to two weeks. The person has a right to have the Consent and Capacity Board quickly review the form. Form 4 (Certificate of Renewal) is used when a doctor determines that the person must remain in the hospital involuntarily for another month. This certificate can later be renewed so that the person has to stay for another two months (second renewal) or up to three months (third renewal or more). The certificate can be renewed indefinitely. But each time it is renewed, the person can apply for a review by the Consent and Capacity Board.

FORM 5 (Change to Voluntary Status) is used when a doctor determines that the person does not need to be kept involuntarily anymore. This form can be completed at any time to end a Form 3 or a Form 4 before it expires. A patient is automatically considered voluntary once his or her certificate expires and another one is not completed.

FORM 14 (Consent to Access a Clinical Record) was used when a patient wanted to give another person the permission to see or get a copy of his or her clinical record. With the new *Personal Health Information Protection Act (PHIPA)*, Form 14 is no longer valid. Where consent is required for the disclosure of personal health information, and no exception to obtaining the required consent applies, health officials may look to the sample consent form that the Ministry of Health and Long-Term Care has developed, which is available at: www.health.gov.on.ca and adapt it to their needs.

[†] For more details about these tests, see "Being admitted to hospital", p. 114, in Section 13 of *Challenges & Choices: Finding Mental Health Services in Ontario* a publication from the Centre for Addiction and Mental Health.