

Mental Health Act: Pathways for Examinations at a Designated Facility

Form	Form Name	Form Issuer	Form Process	Pathway	Examination Considerations
Form 1 MHA s.2 <i>(first Form 1 issued in community or at a non-designated facility)</i>	Admission Certificate	Qualified Health Professional (QHP)* at any <i>non-designated facility</i> , incl. community clinics	<ul style="list-style-type: none"> • Within 24 hours following examination of a person, QHP may issue a Form 1 • Issuance may occur in the community or at a non-designated facility • After issuance, person must be conveyed to a designated facility** 	<ul style="list-style-type: none"> • Form 1 authorizes any person to apprehend and convey the person named in the certificate to a designated facility for examination • Conveyance to a designated facility must be within 72 hours of the Form 1 being issued 	<ul style="list-style-type: none"> • Form 1 leads to a second examination at a designated facility <ul style="list-style-type: none"> ◦ Does not necessarily mean admission • This second examination must occur within 24 hours of the arrival of the person at the designated facility • If the person meets admission criteria at the second examination, then a second Form 1 is issued, formally admitting the person to the designated facility <ul style="list-style-type: none"> ◦ Valid for up to 1 month • Should person not meet admission criteria of a Form 1, they may be admitted as voluntary patient or that person must be released on the expiry of 24 hours from the time that they arrived at the designated facility
Form 1 MHA s.2 <i>(issued at a designated facility when patient arrived voluntarily)</i>	Admission Certificate	QHP at designated facility	<ul style="list-style-type: none"> • A person voluntarily arrives at the designated facility, and if admission criteria are met, then two Form 1s are issued 	<ul style="list-style-type: none"> • No conveyance required 	<ul style="list-style-type: none"> • First Form 1 must be completed within 24 hours of examination at a designated facility • Second examination should occur as soon as possible. If the person meets admission criteria at the second examination, and a second Form 1 is the person becomes a formal patient <ul style="list-style-type: none"> ◦ Valid for up to 1 month • Should the person not meet admission criteria of a Form 1, they may be admitted voluntarily or that person must be released on the expiry of 24 hours from the time person arrived at the designated facility • Should the person have arrived by Form 8 or 10 please refer to page 2
Form 3 MHA s.20(4) s.21(1) s.21(3)	Order to Return a Formal Patient to a Facility	Representative of board of the facility*** AMH Zone ED	<ul style="list-style-type: none"> • When a formal patient elopes (AWOL) or does not return after a pass was granted, they may be returned with the issuance of a Form 3 	<ul style="list-style-type: none"> • Form 3 authorizes any peace officer to apprehend and return the formal patient back to the named designated facility • If the formal patient returns to the 	<ul style="list-style-type: none"> • When a formal patient subject to a Form 3 is returned to the designated facility they may be detained for the remainder of the authorized period of their formal certificates • If the admission or renewal certificates for the person expired during the period the formal patient was absent from the designated facility, then, when

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				<p>designated facility without peace officer involvement, then staff should cancel the Form 3 and notify peace officers <i>as soon as possible</i></p> <ul style="list-style-type: none"> Form 3 does not expire once issued 	<p>they are returned to the designated facility, they are treated as though they are under one Form 1</p>
Form 4 MHA s.24(1)	Certificate of Transfer into Alberta	<p>Minister of Health or person designated by Minister of Health</p> <p>AMH Zone ED</p>	<ul style="list-style-type: none"> A person may come or be brought into Alberta, and if there are reasonable grounds to believe that the requirements for an admission certificate are met, a Form 4 may be issued 	<ul style="list-style-type: none"> Form 4 authorizes a peace officer or other person to apprehend and convey the person to the designated facility for examination 	<ul style="list-style-type: none"> The person should be examined as soon as possible by a physician at a designated facility. If person meets admission criteria as a formal patient, then Form 1s are issued. Note that the person must be released unless two Form 1s have been issued within 24 hours of the person's arrival at designated facility
Form 5 MHA s.25	Transfer of Formal Patient to a Jurisdiction Outside Alberta	<p>Minister of Health or person designated by Minister of Health</p> <p>AMH Zone ED</p>	<ul style="list-style-type: none"> A formal patient may be transferred to named jurisdiction outside Alberta with the issuance of a Form 5 	<ul style="list-style-type: none"> Form 5 authorizes a transfer of the formal patient to the other jurisdiction AHS has responsibility to organize transfer with receiving designated facility to ensure clinical transfer of care <ul style="list-style-type: none"> i.e., arranging for appropriate health care provider accompaniment and security, if required 	<ul style="list-style-type: none"> When a formal patient has come or been brought into Alberta and the patient's care and treatment is the responsibility of another jurisdiction, or it is in the patient's best interests to be cared for in another jurisdiction, a Form 5 may be issued
Form 6 MHA s.22	Memorandum of Transfer to Another Facility	Representative of board of the <i>sending</i> facility	The issuance of a Form 6 is required when a formal patient	<ul style="list-style-type: none"> Form 6 indicates a transfer of a formal patient to a separate 	<ul style="list-style-type: none"> The formal patient's active certificates and related timelines remain in effect at the <i>receiving</i> designated facility

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		AMH Zone ED	is to be transferred to another designated facility of a separate regional health authority within Alberta	regional health authority's designated facility	
Form 8 MHA s.10	Warrant	Provincial Judge	<ul style="list-style-type: none"> A person may be apprehended and conveyed for assessment and examination at a designated facility or secure location with the issuance of a Form 8 by the Court 	<ul style="list-style-type: none"> Form 8 authorizes any peace officer to apprehend and convey the person to a designated facility or secure location for assessment and examination Valid for 7 days Valid for an additional 7 days with completion of Form 9 Extension of Warrant 	<ul style="list-style-type: none"> Assessment and examination as soon as possible, on arrival at a designated facility or secure location <ul style="list-style-type: none"> Does not necessarily mean admission Once the person is conveyed to the designated facility refer to the first row, Form 1 If person is at a designated facility and meets admission criteria, then two Form 1s are issued within 24 hours of the person's arrival at the designated facility If the person is at a designated facility, and the person does not meet admission criteria (two Form 1s have not been issued), then the person may be admitted as a voluntary patient or that person must be released on the expiry of 24 hours from the time that they arrived at the designated facility
Form 10 MHA s.12	Statement of Peace Officer on Apprehension	Peace Officer	<ul style="list-style-type: none"> A person may be apprehended and conveyed for examination at a designated facility or secure location with the issuance of a Form 10 	<ul style="list-style-type: none"> Form 10 authorizes the peace officer, who has reasonable and probable grounds, to apprehend and convey the person to a designated facility or secure location for assessment and examination 	<ul style="list-style-type: none"> Assessment and examination as soon as possible, on arrival at a designated facility or secure location If person is at a secure location and meets admission criteria, then the first Form 1 is issued and further conveyance to the designated facility is required <ul style="list-style-type: none"> Does not necessarily mean admission If person continues to meet admission criteria at the designated facility, refer to the first row, Form 1 If person is at a designated facility and meets admission criteria, then two Form 1s are issued within 24 hours of the person's arrival at the designated facility. If the person is at a designated facility, and the person does not meet admission criteria (two Form 1s have not been issued), then the person may be admitted as a voluntary patient or that person must

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					be released on the expiry of 24 hours from the time that they arrived at the designated facility
Form 23 MHA s.9.6	Community Treatment Order (CTO) Apprehension Order	QHP	<ul style="list-style-type: none"> A person subject to a CTO who has failed to comply may be apprehended and conveyed for examination at a designated facility with the issuance of a Form 23 	<ul style="list-style-type: none"> Form 23 authorizes the peace officer to take reasonable measures to apprehend and convey the person to a designated facility for examination Valid for 30 days 	<ul style="list-style-type: none"> Examination as soon as practicable, and within 72 hours, of arrival at a designated facility Separate examinations by two QHPs (one being a psychiatrist) The two QHPs each complete a Form 24 and must determine whether the CTO should be: <ul style="list-style-type: none"> Cancelled, Continued with any necessary amendments, or Cancelled and admission certificates issued (provided the patient meets admission criteria)

***Qualified Health Professional (QHP)** means a physician or nurse practitioner or a person who is registered under section 33(1)(a) of the Health Professions Act as a member of a health profession or of a category within a health profession designated by the regulations for the purposes of all or part of this Act

** **Designated Facility** means a place (e.g. a hospital) or part thereof listed in the *Mental Health Regulation* as a “facility” for the purposes of the Mental Health Act (MHA)

*****Representative of board of the facility** Delegates are RMS or PCM (who may further sub delegate):

- Responsible Medical Staff (QHP responsible for the care of the patient) or,
- Patient Care/Unit Manager (Administrative lead or manager at the unit level)

Pathways to Examination

The most common pathways to **assessment and examination at a designated facility** or secure location include a QHP, a judge of the Provincial Court, or a peace officer.

1. Admission Certificate

When a QHP at a non-designated facility examines a person and assesses the person meets the MHA criteria, the QHP must complete the Admission Certificate (Form 1) within 24 hours of examining the person. Following the issuance of a Form 1, the person must be conveyed to a designated facility within 72 hours for a second examination.

When a QHP at a designated facility examines a person and assesses the person meets the MHA criteria, that QHP must complete the examination and the Form 1 within 24 hours of the person's arrival at the designated facility (unless the person arrived at the designated facility voluntarily).

If the first Form 1 is issued at a designated facility, a second QHP (who does not need to be a psychiatrist) must also examine the person within 24 hours of arrival at the designated facility. If a second Form 1 is not completed within 24 hours of the person arriving at the designated facility, then the person must be released or may become a voluntary patient.

2. Warrant

When a person (whom there are reasonable grounds to believe is suffering from a mental disorder) will not see a QHP for examination, their family, caregivers, healthcare workers or a peace officer, for example, can access help through the Provincial Court by bringing an Information (Form 7). If a provincial court judge is convinced the person is within a reasonable time, likely to cause harm to others or to suffer negative effects, including substantial mental or physical deterioration or serious physical impairment, because of or related to the mental disorder, then the judge can issue a Warrant (Form 8) for an examination. Examination of the person by a QHP must occur as soon as possible upon arrival at the designated facility or secure location and provided they meet criteria, they may be admitted at a designated facility as a formal patient; however, not all examinations lead to admission.

Also, anyone who has reasonable and probable grounds to believe that a person who is subject to a CTO is not complying with the CTO can access help through the Provincial Court. If a provincial court judge is convinced that the person subject to a CTO is not complying with it, and there is no other way to arrange an examination, then the judge can issue a Form 8. Examination of the person by a QHP must occur as soon as possible upon arrival at the designated facility.

The Form 8 provides authority for the peace officer to apprehend the person named in the Form 8 and convey the person to a designated facility or secure location for examination, if it is known the person is not subject to a CTO. The Form 8 expires in 7 days but may be extended for a further 7 days if needed by a provincial court judge completing a Extension of Warrant (Form 9). A Form 9 is available only once.

3. Statement of Peace Officer on Apprehension

Under section 12 of the MHA, a peace officer may apprehend and convey a person to a designated facility or secure location for examination. Should they have grounds to believe a person is suffering from mental disorder, likely to cause harm to others or to suffer negative effects and the circumstances are such that to proceed under section 10 would be dangerous.

When a person is conveyed to a designated facility under section 10, 12 or 24, that person shall be released on the expiry of 24 hours from the time when that person arrived at the designated facility unless, within that time, two admission certificates are issued with respect to that person.

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When the peace officer conveys the person to a designated facility or secure location, the peace officer must complete a Form 10 Statement of Peace Officer on Apprehension (Form 10) and sign and leave a copy of the original Form 10 with Admitting at the designated facility or secure location. The Form 10 must include the person's name (if known), the date, time and place where the person was apprehended, and the grounds (relative to the MHA) upon which the person was apprehended.

4. CTO Apprehension

If a QHP has reasonable grounds to believe that a person who is subject to a CTO has failed to comply with the CTO, the QHP may issue a CTO Apprehension Order (Form 23) to a peace officer. The Form 23 authorizes the peace officer to apprehend the person who is named in the order and to convey the person to a designated facility named in the order for an examination.

As soon as practicable, but within 72 hours after the person's arrival at the designated facility, an examination of the person must be conducted by 2 QHPs, one of whom must be a psychiatrist, to determine whether the CTO should be cancelled and the person should be released without being subject to a CTO, the CTO should be continued with any necessary amendments, or the CTO should be cancelled and admission certificates issued. Following the two examinations, each QHP must complete a Examination on Apprehension (Form 24).

Note: If an individual is brought to a designated facility under a Form 8 or Form 10 and is known to be subject to a CTO, then follow the examination process as though under a Form 23.