L.N. 90 of 1981

MENTAL HEALTH ACT, 1976
(ACT NO. XVIII OF 1976)

Hospital Admission (Forms) Regulations, 1981

IN exercise of the powers conferred by section 34 of the Mental Health Act, 1976, hereinafter referred to as "the Act", the Minister of Health and Environment has made the following regulations:

Citation.

1. These regulations may be cited as the Hospital Admission (Forms) Regulations, 1981.

Prescribed forms.

2. (1) The form for application for admission to a hospital for observation under sections 14 and 16 of the Act shall be the form shown in the First Schedule to these regulations.

(2) The form for emergency application for admission to a hospital for observation under sections 15 and 16 of the Act shall be the form shown in the Second Schedule to these regulations..

(3) The form for a medical recommendation for admission to a hospital for observation under sections 14, 15 and 17 of the Act shall be the form shown in the Third Schedule to these regulations.

(4) The form for a joint medical recommendation for admission to a hospital for observation under section 14 of the Act shall be the form shown in the Fourth Schedule to these regulations.

(5) The form for application by a nearest relative for admission to a hospital for treatment under sections 14 and 16 of the Act shall be the form shown in the Fifth Schedule to these regulations.

(6) The form for application by a mental welfare officer for admission to a hospital for treatment under sections 14 and 16 of the Act shall be the form shown in the Sixth Schedule to these regulations.

(7) The form for a medical recommendation for admission to a hospital for treatment under section 14 of the Act shall be the form shown in the Seventh Schedule to these regulations.

(8) The form for a joint medical recommendation for admission to a hospital for treatment under section 14 of the Act shall be the form shown in the Eighth Schedule to these regulations.

(9) The form for a report on a hospital in-patient in accordance with section 18 of the Act shall be the form shown in the Ninth Schedule to these regulations.

(10) The form for the renewal of authority for detention in a hospital in accordance with section 21(4) of the Act shall be the form shown in the Tenth Schedule to these regulations.

(11) The form for a report barring the discharge by a nearest relative in accordance with section 29 of the Act shall be the form shown in the Eleventh Schedule to these regulations.

FIRST SCHEDULE

MENTAL HEALTH ACT, 1976

Application for Admission for Observation (Sections 14 and 16)

(This application is valid only for 14 days beginning with the date appearing on the medical recommendation last given as the date on which the patient was last examined by the medical practitioner before giving that recommendation.)

(1) Name and address of hospital.

TO THE MANAGER OF (1) .....

.....

(2) Name and address of applicant.

1. I (2) .....

of .....

(3) Name and address of patient.

hereby apply for the admission of (3) .....

..... of .....

..... to the above-named hospital for observation in accordance with Part III of the Mental Health Act, 1976.

(4) State relationship.

2. (a) I am the patient's nearest relative within the meaning of the Act, being the patient's (4) .....

.....

OR

(5) Copy of Court order.

(b) I have been authorised by the Court to exercise the functions of the patient's nearest relative under the Act and a copy (5) of the authority is attached to this application.

OR

(c) I am appointed to act as mental welfare officer for the purpose of the Act.

3. I last saw the patient on ..... 19 ... (must not be later than 14 days from date of application)

4. This application is founded on the medical recommendation/s forwarded herewith.

(6) If neither of the medical practitioners who have made the medical recommendations had previous acquaintance with the patient, the applicant should state here why it is not practicable to obtain a recommendation from a practitioner having such acquaintance.

5. (6) .....

.....

.....

.....

Signed .....

Date .....

Record of Admission

(This is not part of the application, but is to be completed later at the hospital)

(7) Name of patient.

(8) Name of hospital.

(a) (7) ..... was admitted to (8) ..... in pursuance of this application at ..... 19 .....

Delete (a) or (b)

OR

(b) (7) ..... was already an in-patient in (8) ..... on the date of this application and the application was received by me on behalf of the manager on .... 19 .....

Signed .....
on behalf of the manager

Date .....

SECOND SCHEDULE

MENTAL HEALTH ACT, 1976

Emergency Application for Admission for Observation (Sections 15 and 16)

(This application is valid for 2 days beginning with the date appearing on the medical recommendation as the date on which the patient was last examined by medical practitioner before giving that recommendation.)

(1) Name and address of hospital.

(2) Name and address of applicant.

(3) Name and address of patient.

TO THE MANAGER OF (1) .....
.....

1. I (2) .....
of .....
hereby apply for the admission of (3) .....
..... of .....
..... to the above-named hospital for observation in accordance with Part III of the Mental Health Act, 1976.

(4) State relationship.

2. (a) I am a relative of the patient within the meaning of the Act, being the patient's (4) .....
.....

OR

(b) I am appointed to act as a mental welfare officer for the purposes of the Act.

3. I last saw the patient on ..... 19 ...
(must not be later than 3 days from date of application)

4. In my opinion it is of urgent necessity for the patient to be admitted and detained under section 15 of the Act, and compliance with the requirements of the Act relating to applications for admission other than emergency applications would involve undesirable delay.

5. This application is founded on the medical recommendation forwarded herewith.

6. (5) .....
.....
.....
.....

(5) If the medical practitioner who has made the recommendation had no previous acquaintance with the patient, the applicant should state here why it is not practicable to obtain a recommendation from a practitioner having such acquintance.

Signed .....

Date .....

Record of Admission

(This is not part of the application, but is to be completed later at the hospital)

(6) Name of patient.
(7) Name of hospital.
(8) Time and date.

(a) (6) ..... was admitted to (7) ..... in pursuance of this application at (8) ..... on ..... 19 .....

Delete (a) or (b)

OR

(b) (6) ..... was already an in-patient in (7) ..... on the date of this application and the application was received by me on behalf of the manager at (8) .... on ..... 19 ...

Signed .....
on behalf of the manager

Date .....

THIRD SCHEDULE

MENTAL HEALTH ACT, 1976

Medical Recommendation for Admission for Observation (Sections 14, 15 and 17)

(1) Name and address of medical practitioner.

(2) Name and address of patient.

1. I (1) ..... of ..... being a registered medical practitioner, recommend that (2) .... of .... be admitted to hospital for observation in accordance with Part III of the Mental Health Act, 1976.

2. I last examined the patient on ..... 19 .....

* Delete if not applicable.

3. *(a) I was acquainted with the patient previously to conducting that examination.

*(b) I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of of mental disorder.

4. I am of the opinion —

(a) that this patient is suffering from mental disorder of a nature or degree which warrants his/her detention in a hospital under observation for at least a limited period,

AND

(b) that this patient ought to be so detained:

Delete (i) or (ii) unless both apply.

(i) in the interests of the patient's own health or safety,

(ii) with a view to the protection of other persons.

5. (This section is to be deleted unless the medical recommendation is the first recommendation in support of an emergency application under section 15)

In my opinion it is of urgent necessity for the patient to be admitted and detained under section 15 of the Act and compliance with the requirements of the Act relating to applications for admission for observation other than emergency application would involve undesirable delay.

Signed .....

Date .....

Record of Receipt

(This is not part of the recommendation, and is to be completed only if the medical recommendation is the second recommendation in support of an emergency application under section 15)

(3) Insert time and date.

This recommendation was received on behalf of the manager at (3) .....

on ..... 19 ..... the patient having been admitted at (3) on ..... 19 .....

Signed .....
on behalf of the manager

Date .....

SECTION 17(3) MENTAL HEALTH ACT

This medical recommendation shall not be given by any of the following persons:

(a) applicant;

(b) a partner of the applicant or of a practitioner by whom another medical recommendation is given for the purpose of the same application;

(c) a person employed by the applicant or by any such practitioner as aforesaid;

(d) a person who receives or has an interest in the receipt of any payments made on account of the maintenance of the patient; or

(e) the husband or wife or a relative by consanguinity or affinity up to the second degree of the patient, or of any such person as aforesaid or of a practitioner by whom another medical recommendation is given for the purpose of the same application.

FOURTH SCHEDULE

MENTAL HEALTH ACT, 1976

Joint Medical Recommendation for Admission for Observation (Section 14)

(1) Names and addresses of both medical practitioners.

(2) Name and address of patient.

1. We (1) .....
of ..... and
..... of .....
..... being registered medical practitioners recommend that (2) .....
of ..... be admitted to a hospital for observation in accordance with Part III of the Mental Health Act, 1976.

(3) Name of first practitioner.

2. (a) I (3) ..... last examined this patient on ..... 19 .....

*(b) I was acquainted with the patient previously to conducting that examination.

*(c) I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of mental disorder.

* Delete if not applicable.

(4) Name of second practitioner.

3. (a) I (4) ..... last examined that patient on ..... 19 .....

*(b) I was acquainted with the patient previously to conducting that examination.

*(c) I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of mental disorder.

* Delete if not applicable.

IMPORTANT: Medical practitioners must have personally examined the patient, either together or at an interval of not more than 3 days.

(5) Address of both practitioners.

4. We (5) ..... and ..... are of the opinion —

(a) that this patient is suffering from mental disorder of a nature or degree which warrants his/her detention in a hospital under observation for at least a limited period;

AND

(b) that this patient ought to be so detained —

(i) in the interests of the patient's own health or safety;

(ii) with a view to the protection of other persons.

Signed .....

Date .....

Signed .....

Date .....

SECTION 17(3) MENTAL HEALTH ACT

This medical recommendation shall not be given by any of the following persons:

(a) applicant;

(b) a partner of the applicant or of a practitioner by whom another medical recommendation is given for the purpose of the same application;

(c) a person employed by the applicant or by any such practitioner as aforesaid;

(d) a person who receives or has an interest in the receipt of any payments made on account of the maintenance of the patient; or

(e) the husband or wife or a relative by consanguinity or affinity up to the second degree of the patient, or of any such person as aforesaid or of a practitioner by whom another medical recommendation is given for the purpose of the same application.

FIFTH SCHEDULE

MENTAL HEALTH ACT, 1976

Application by Nearest Relative for Admission for Treatment (Sections 14 and 16)

(This application is valid only for 14 days beginning with the date appearing on the medical recommendation as the date on which the patient was last examined by medical practitioner before giving that recommendation.)

(1) Name and address of hospital.

TO THE MANAGER OF (1) .....
.....

(2) Name and address of applicant.

1. I (2) .....
of .....

(3) Name and address of patient.

hereby apply for the admission of (3) .....
.....
..... to the above-named hospital for treatment in accordance with Part III of the Mental Health Act, 1976 as a patient suffering from

(4) Insert mental illness, severe subnormality, subnormality and/or psychopathic disorder.

(4) .....

(5) State relationship.

2. (a) I am the patient's nearest relative within the meaning of the Act, being the patient's (5) .....
.....

OR

Delete (a) or (b)

(6) Copy of the Court Order or form of authority signed by the nearest relative.

(b) I have been authorised by the Court/the patient's nearest relative to exercise the functions of the patient's nearest relative under the Act and a copy of (6) the authority is attached to this application.

3. I last saw the patient on ..... 19 ...
(must not be later than 14 days from date of application)

4. (This section is to be deleted if the patient is recorded above as suffering from mental illness or severe subnormality).

The patient's date of birth is ..... 19 ...

5. This application is founded on the medical recommendations forwarded herewith.

(7) If neither of the medical practitioners who have made the medical recommendations had previous acquaintance with the patient the applicant should state here why it is not practicable to obtain a recommendatian from a practitioner having such acquaintance.

6. (7) .....
.....
.....
.....

Signed .....

Date .....

Record of Admission

(This is not part of the application, but is to be completed later at the hospital)

(8) Name of patient.

(9) Name of hospital.

(a) (8) ..... was admitted to (9) ..... in pursuance of this application on ..... 19 .....

Delete (a) or (b)

OR

(b) (8) ..... was already in (9) ..... on the date of this application and the application was received by me on behalf of the manager on ..... 19 .....

Signed .....
on behalf of the manager

Date .....

SIXTH SCHEDULE

MENTAL HEALTH ACT, 1976

Application by a Mental Welfare Officer for Admisison for Treatment (Sections 14 and 16)

(This application is valid only for 14 days beginning with the date appearing on the medical recommendation as the date on which the patient was last examined by medical practitioner before giving that recommendation.)

(1) Name and address of hospital.

TO THE MANAGER OF (1) .....
.....

(2) Name and address of applicant.

(3) Name and address of patient.

(4) Insert mental illness, severe subnormality, subnormality and/or psychopathic disorder.

1. I (2) .....

of .....

hereby apply for the admission of (3) .....

..... of .....

..... to the above-named hospital for treatment in accordance with Part III of the Mental Health Act, 1976 as a patient suffering from (4) .....

2. (a) (This section should be deleted if no consultation has taken place).

I have consulted .....

of ..... who to the best of my knowledge and belief is the patient's nearest relative within the meaning of the Act.

OR

(b) I have consulted .....

of ..... who has been authorised by the Court to exercise the functions of the patient's nearest relative under the Act.

OR

(c) I have consulted .....

of ..... who has been

authorised by ..... who to the best of my knowledge and belief is the patient's nearest relative within the meaning of the Act, to exercise the functions of the patient's nearest relative under the Act.

AND

she/he has not notified me that she/he objects to this application being made.

3. (This section should be deleted if consultation has taken place).

(a) I have been unable to ascertain who is the patient's nearest relative within the meaning of the Act.

OR

(b) To the best of my knowledge and belief this patient has no nearest relative within the meaning of the Act.

OR

(c) In my opinion it is not reasonably practicable/ would involve unreasonable delay before making this application to consult .....

of .....

.....

who to the best of my knowledge and belief is this patient's nearest relative within the meaning of the Act/authorised to exercise the functions of this patient's nearest relative under the Act.

4. I last saw the patient on ..... 19 ... (must be not later than 14 days from date of application).

5. (This section is to be deleted if the patient is recorded above as suffering from mental illness or severe subnormality.)

The patient's date of birth is ..... 19 ...

6. This application is founded on the medical recommendations forwarded herewith.

(5) If neither of the medical practitioners who have made the recommendations had previous acquaintance with the patient the applicant should state here why it is not practicable to obtain a recommendation from a practitioner having such acquaintance.

7. (5) .....

.....

.....

.....

Signed .....

Date .....

Record of Admission

(This is not part of the application, but is to be completed later at the hospital)

(6) Name of patient.

(7) Name of hospital.

(a) (6) ..... was admitted to (7) ..... in pursuance of this application on ..... 19 .....

OR

(b) (6) ..... was already in (7) ..... on the date of this application, and the application was received by me on behalf of the manager on ..... 19 .....

Signed .....
on behalf of the manager

Date .....

SEVENTH SCHEDULE

MENTAL HEALTH ACT, 1976

Medical Recommendation for Admission for Treatment (Section 14)

(1) Name and address of medical practitioner.

(2) Name and address of patient.

1. I (1) ..... of .... being a registered medical practitioner recommend that (2) ..... of ..... be admitted to a hospital for treatment in accordance with Part III of the Mental Health Act, 1976.

2. I last examined this patient on ..... 19 .....

* Delete if not applicable.

3. *(a) I was acquainted with the patient previously to conducting that examination.

*(b) I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of mental disorder .

(3) Insert mental illness, severe subnormality, subnormality and/or psychopathic disorder.

4. In my opinion this patient is suffering from (3) ..... of a nature or degree which warrants his/her detention in a hospital for medical treatment within the meaning of the Act. This opinion is founded on the following grounds:—

(4) Clinical description of the patient's mental condition.

(4) .....
.....
.....
.....
.....
.....

5. I am of the opinion that it is necessary —

(i) in the interests of this patient's health or safety,

(ii) for the protection of other persons,

Delete (i) or (ii) unless both apply.

that this patient should be detained in a hospital, and my reasons for this option are:— (5)

(5) Reasons should indicate whether other methods of care or treatment (e.g. out-patient treatment) are available and if so why they are not appropriate and why informal admission is not suitable.

Signed .....

Date .....

SECTION 17(3) MENTAL HEALTH ACT

This medical recommendation shall not be given by any of the following persons:

(a) applicant;

(b) a partner of the applicant or of a practitioner by whom another medical recommendation is given for the purpose of the same application;

(c) a person employed by the applicant or by any such practitioner as aforesaid;

(d) a person who receives or has an interest in the receipt of any payments made on account of the maintenance of the patient; or

(e) the husband or wife or a relative by consanguinity or affinity up to the second degree of the patient, or of any such person as aforesaid or of a practitioner by whom another medical recommendation is given for the purpose of the same application.

EIGHTH SCHEDULE

MENTAL HEALTH ACT, 1976

Joint Medical Recommendation for Admission for Treatment (Section 14)

(1) Names and addresses of both medical practitioners.

(2) Name and address of patient.

(3) Name of first practitioner.

* Delete if not applicable

(4) Name of second practitioner.

* Delete if not applicable.

IMPORTANT: Medical practitioners must have personally examined the patient either together or at an interval of not more than 3 days.

1. We (1) ..... of ..... and ..... of ....., being registered medical practitioners, recommend that (2) ..... of ..... be admitted to a hospital for treatment in accordance with Part III of the Mental Health Act, 1976.

2. I (3) ..... last examined this patient on ..... 19 .....

* I was acquainted with the patient previously to conducting that examination.

* I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of mental disorder.

3. I (4) ..... last examined this patient on ..... 19 .....

* I was acquainted with the patient previously to conducting that examination.

* I have been approved by the Minister responsible for Public Health under section 17 of the Act as having special experience in the diagnosis or treatment of mental disorder.

(5) Names of both practitioners.

(6) Insert mental illness severe subnormality, subnormality and/or psychopathic disorder.

(7) Clinical description of the patient's mental condition.

Delete (i) or (ii) unless both apply.

(8) Reasons should indicate whether other methods of care or treatment (e.g. out-patient treatment) are available and if so why they are not appropriate and why informal admission is not suitable.

4. We (5) ..... and ..... are of the opinion that this patient is suffering from (6) .... of a nature or degree which warrants his/her detention in a hospital for medical treatment within the meaning of the Act. This opinion is founded on the following grounds:—

5. We are of the opinion that it is necessary —

(i) in the interests of this patient's health and safety;

(ii) for the protection of other persons,

that he/she should be detained in hospital, and our reasons for this opinion are:— (8)

Signed .....

Date .....

Signed .....

Date .....

SECTION 17(3) MENTAL HEALTH ACT

This medical recommendation shall not be given by any of the following persons:

(a) applicant;

(b) a partner of the applicant or of a practitioner by whom another medical recommendation is given for the purpose of the same application;

(c) a person employed by the applicant or by any such practitioner as aforesaid;

(d) a person who receives or has an interest in the receipt of any payments made on account of the maintenance of the patient; or

(e) the husband or wife or a relative by consanguinity or affinity up to the second degree of the patient, or of any such person as aforesaid or of a practitioner by whom another medical recommendation is given for the purpose of the same application.

NINTH SCHEDULE

MENTAL HEALTH ACT, 1976

Report on Hospital In-Patient (Section 18)

(1) Name of hospital in which the patient is.

(2) Name of practitioner.

(3) Name of patient.

TO THE MANAGER OF (1) ....

I (2) ..... am the medical practitioner in charge of the treatment of (3) ...., who is an in-patient in this

hospital and not at present liable to be detained under the Mental Health Act, 1976. I hereby report for the purposes of section 18 of the Act, that it appears to me that an application ought to be made for this patient's admission to hospital under Part III of the Act for observation or for treatment.

Signed .....

Date .....

To be completed on behalf of the manager:

This report was received by me on behalf of the manager on ..... 19 .....

Signed .....
on behalf of the manager

TENTH SCHEDULE

MENTAL HEALTH ACT, 1976

Renewal of Authority for Detention in a Hospital (Section 21 (4))

(1) Name of hospital in which the patient is liable to be detained.

(2) Name of patient.

(3) Insert mental illness, severe subnormality, subnormality and/or psychopathic disorder.

(4) Date on which authority for detention is due to expire if not renewed.

TO THE MANAGER OF (1) .....
.....

1. I examined (2) .....
on ..... 19 ..... and hereby report that I am of the opinion that this patient is suffering from (3) ..... and that it is necessary —

(i) in the interests of the patient's health and safety;

(ii) for the protection of other persons that the patient should continue to be liable to be detained under the Mental Health Act, 1976 beyond (4) .....
..... 19 .....

2. The reasons why this patient cannot suitably remain in hospital informally or be discharged from hospital are:—

Signed .....
Responsible Medical Officer

Date .....

(The following is not part of the renewal, but is to be completed on behalf of the manager of the hospital).

This report was received by me on behalf of the manager on ..... 19 .....

Signed .....

Date .....

This report has been considered by the manager/persons authorised to act on behalf of the manager who have decided to order/not to order that the patient be discharged.

(5) Delete if the patient is under 16 years of age or if the manager orders the patient's discharge.

(5) The patient has been informed of the receipt of this report.

Signed .....
on behalf of the manager

Date .....

ELEVENTH SCHEDULE

MENTAL HEALTH ACT, 1976

Report Barring Discharge by Nearest Relative (Section 29)

(1) Name of hospital in which the patient is liable to be detained.

TO THE MANAGER OF (1) .....
.....

I hereby report, for the purposes of section 29 of the Mental Health Act, 1976 that I am of the opinion that

(2) Name of patient.

(2) ..... if discharged, would be likely to act in a manner dangerous to other persons or to himself/herself.

Signed .....
Responsible Medical Officer

Date .....

To be completed on behalf of the manager.

This report was received by me on behalf of the

(3) Time and date.

manager at (3) ..... on .....
19 .....

Signed .....

Date .....

The patient's nearest relative, whose notice of intention to order the patient's discharge was received at (3) ..... on ..... 19 ..... was informed of this report on ..... 19 .....

Signed .....
on behalf of the manager

Date .....

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