

Consumer Information Sheet 2

Assessment Orders Under the *Mental Health Act 2013*

What is an Assessment Order?

An Assessment Order allows a person to be assessed, without the person's informed consent, to consider whether an involuntary assessment is appropriate.

When can an Assessment Order be made?

A medical practitioner may make an Assessment Order following an examination of a person, if the medical practitioner is satisfied that the person needs to be assessed against the assessment criteria, which are as follows:

- a) the person has, or appears to have, a mental illness that requires or is likely to require treatment for –
 - i. the person's health or safety; or
 - ii. the safety of other persons; and
- b) the person cannot be properly assessed with regard to the mental illness or the making of a treatment order except under the authority of the assessment order; and
- c) the person does not have decision-making capacity.

For assessment to continue under an Assessment Order, it must be affirmed by an approved medical practitioner within 24 hours of an Assessment Order having been made.

An approved medical practitioner can extend the Order's operation for up to an additional 72 hours.

What is the result of an Assessment Order having been made?

An assessment order is an authority for a patient's admission to and, if necessary, detention in an approved hospital.

Who can discharge an Assessment Order:

- The medical practitioner who made the Order or
- Any approved medical practitioner (including the approved medical practitioner who has independently assessed the person) or
- The Mental Health Stream of the TASCAT (the Tribunal).

Who is given the information about the Assessment Order?

- The patient, along with a copy of the Statement of Rights.
- Approved Medical Practitioner who is likely to independently assess the patient, the controlling authority (Health Service), the Chief Psychiatrist, and the Tribunal.
- A copy of the Order is also placed on patients' clinical record.