Office of the Chief Psychiatrist

Making an Assessment Order

Purpose	To clarify the process of making an Assessment Order (AO) under the *Mental Health Act 2013*
Approved form	• [Assessment Order, Affirmation or Discharge (C06)](#)
Who can make an AO?	**Any medical practitioner** may make an Assessment Order, however, **ONLY** when the following circumstances exist. • They have examined the person in the 24 hours before the order is made. • They are satisfied the person needs to be assessed against the assessment criteria. • They have made a reasonable attempt to assess the person with informed consent or considers it futile or inappropriate to make such an attempt.
What is the **Assessment Criteria?**	The person has, or appears to have, a mental illness that requires or is likely to require treatment for: • the person's health or safety OR the safety of other persons **AND** • 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** • does not have decision-making capacity
Considerations for Children	A child cannot be admitted or detained in an approved hospital unless the hospital has facilities and staff for the child's assessment and, in the circumstances, is the most appropriate place to accommodate the child.
An AO is authority for?	• A person to be assessed without informed consent by an Approved Medical Practitioner (AMP) • A Mental Health Officer (MHO) or Police Officer to ensure the patient presents for assessment. • The patient to be admitted to an approved facility and if necessary, detained in an approved facility for that assessment. **An Assessment Order is not authority for a patient to be treated.**
What if a person needs urgent treatment while on an assessment order?	• A medical practitioner may seek authorisation by an **Approved Medical Practitioner** to authorise urgent circumstances treatment. – For more information refer to: [CP Advisory 08 – Urgent Circumstances Treatment.](#)
What is the maximum duration of an AO?	• 24 hours (for an **unaffirmed Assessment Order**). • **If affirmed** within 24 hours by an AMP, an Assessment Order can be extended once for a period not exceeding 72 hours commencing from the time of affirmation.
What if the patient is considered to be in need a Treatment Order?	If the AMP is also satisfied from the assessment that the person meets treatment criteria, an application for a treatment order may be initiated within the 72-hour period.

Department of **Health**

Tasmanian Government

Office of the Chief Psychiatrist

Practice requirements when assessing for making an AO	• The person must be made aware that an assessment is taking place under the Mental Health Act. • The person must be advised of the outcome of the assessment as soon as possible. • If the assessment is undertaken by video call or phone, a Mental Health Officer (MHO) or Approved Nurse (AN) should be with the patient while the medical practitioner assesses the patient. The MHO or AN must explain to the patient, in a language and form that the patient can understand, how the assessment will be undertaken, the reasons for the assessment and that the medical practitioner will be assessing them virtually.
Documentation requirements	• Complete the appropriate form (C06) • Provide a copy of the form to the patient and explain in a way that can be understood. • Provide the patient with a statement of rights. • Place a copy of the form on the patient's clinical record. • Give a copy of the form to the Chief Psychiatrist and the Tribunal. • If escort is required, a copy of the form must be provided to them. • If the patient consents, give a copy to the patient's support person/representative or to the parent/guardian, if the patient is a child.

Guidance for approved facilities and persons in charge

- Ensure policies and protocols are aligned with this guideline.
- Provide education and training programs that support provisions in this guideline.
- Ensure appropriate documentation is maintained.

Department of **Health**

Tasmanian Government