

**Mental Health and Wellbeing Act 2022
Sections 144 - 151**

**MHWA 101
Assessment Order**

--	--	--	--	--	--	--	--	--	--

Mental Health Statewide UR Number

Local Patient Identifier

FAMILY NAME

GIVEN NAMES

DATE OF BIRTH

SEX

GENDER

Place patient identification label above

Instructions to complete this form

- This form must be completed by a Registered Medical Practitioner or an Authorised Mental Health Practitioner as soon as practicable after examining the person but not more than 24 hours after examination.
- When you examine the person, you must take all reasonable steps to explain the purpose of the examination.

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS) of person to be assessed

of:

address of person to be assessed

1. I am: a registered medical practitioner
 an authorised mental health practitioner
 (please cross one option only)

2. I examined the person on:

--	--	--	--	--	--	--	--

date

at:

--	--	--	--

time 24 hour

3. I am satisfied that **all** the compulsory assessment criteria in section 142 of the **Mental Health and Wellbeing Act 2022** apply to the person:
- the person appears to have mental illness; and
 - because the person appears to have mental illness, the person appears to need immediate treatment to prevent—
 - serious deterioration in the person's mental or physical health; or
 - serious harm to the person or to another person; and
 - if the person is made subject to an Assessment Order, the person can be assessed; and
 - there are no less restrictive means reasonably available to enable the person to be assessed.
4. I have given proper consideration to the decision-making principles for treatment and interventions.
5. I base my opinion on the following :

6. I am satisfied that:

- assessment **can** occur in the community and make a **Community Assessment Order**.
 assessment **cannot** occur in the community and make an **Inpatient Assessment Order**.
 (please cross one option only)

7. Designated Mental Health Service responsible for assessment:

8. Date and time Assessment Order is made:

--	--	--	--	--	--	--	--

date

at:

--	--	--	--

time 24 hour

9. The duration of:

- a Community Assessment Order is 24 hours unless it is extended or revoked
- an Inpatient Assessment Order is the earlier of either 24 hours after the person is received at a designated mental health service or 72 hours after the order is made, unless it is extended or revoked.

Signature:

signature of practitioner

Date:

--	--	--	--	--	--

Given Names:

Family Name:

Business Address:

Designation:

Telephone:



MHWA101

ROLLS AUSTRALIA 1300 600 192

JULY
2023

Next steps

After completing this form:

1. **tell** the person you have made this Assessment Order;
2. **give** the person a copy of this order and the statement of rights—*Assessment Order*;
3. **explain** the purpose and effect of the Assessment Order;
4. **ensure** appropriate supports are provided to assist the person to understand this information; and
5. **notify** the authorised psychiatrist of the relevant designated mental health service and give them a copy of this order .
6. If you made:
 - an **Inpatient Assessment Order**, you should **arrange** for an authorised person to transport the person to the relevant designated mental health service as soon as practicable and no later than 72 hours after this order has been made; or
 - a **Community Assessment Order**, you should **arrange** with the relevant designated mental health service for the person to be assessed in the community as soon as practicable and no later than 24 hours after this order is made

Notes

- An Inpatient Assessment Order is sufficient authority to transport the person to a designated mental health service and to detain the person in the service for assessment. Transport choices should be appropriate to the person's needs and their circumstances and should, so far as reasonably practicable, be health-led and use the least restrictive option possible.
- Once the person has been taken to a designated mental health service (including the emergency department of that service), a registered medical practitioner or an authorised mental health practitioner at the service must receive the person and document the time as soon as reasonably practicable and safe to do so. The received time should be recorded on a *MHA 102 – Receipt of person subject to Inpatient Assessment Order form*.

Decision-making principles for treatment and interventions

When making an Assessment Order you **must give proper consideration** to these principles.

Title	Principle
Care and transition to less restrictive support	Compulsory assessment and treatment is to be provided with the aim of promoting the person's recovery and transitioning them to less restrictive treatment, care and support. To this end, a person who is subject to compulsory assessment or treatment is to receive comprehensive, compassionate, safe and high-quality mental health and wellbeing services.
Consequences of compulsory assessment and treatment and restrictive interventions principle	The use of compulsory assessment and treatment or restrictive interventions significantly limits a person's human rights and may cause possible harm including— (a) serious distress experienced by the person; and (b) the disruption of the relationships, living arrangements, education or employment of the person.
No therapeutic benefit to restrictive interventions principle	The use of restrictive interventions on a person offers no inherent therapeutic benefit to the person.
Balancing of harm principle	Compulsory assessment and treatment or restrictive interventions are not to be used unless the serious harm or deterioration to be prevented is likely to be more significant than the harm to the person that may result from their use.
Autonomy principle	The will and preferences of a person are to be given effect to the greatest extent possible in all decisions about assessment, treatment, recovery and support, including when those decisions relate to compulsory assessment and treatment.

Definitions

- **'Authorised mental health practitioner'** is a person who is employed or engaged by a designated mental health service and is a:
 - a. registered psychologist;
 - b. registered nurse;
 - c. social worker;
 - d. registered occupational therapist; ora member of a prescribed class of person.
- **'Authorised person'** is a person able to take a person to a designated mental health service and is a:
 - a. a police officer;
 - b. a registered paramedic employed by an ambulance service as designed in section n3(1) of the *Ambulance Services Act 1986* ;
 - c. a protective services officer;
 - d. a registered medical practitioner employed or engaged by a designated mental health service
 - e. an authorised mental health practitioner (as defined above)
 - f. a member of a prescribed class of person.
- **'Mental Illness'** is a medical condition that is characterised by a significant disturbance of thought, mood, perception or memory.
- **'Registered medical practitioner'** means a person who is registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student).