

Form 1 - Application by Physician for Psychiatric Assessment

- A Form 1 allows a patient to be held in a psychiatric facility for up to 72 hours in order for them to undergo a psychiatric assessment. The assessment is to determine whether a patient requires the care and supervision of a psychiatric hospital.
- **Any physician can complete a Form 1** but the physician must have seen the patient **within the last 7 days**. Once complete, you can call police to apprehend the person. Police have 7 days to pick up client (but usually will do so ASAP). Assessment can take up to 72 hours. The person will be taken to a “Schedule 1 Facility”.
- Once a Form 1 is signed, it lasts for 7 days. Within those 7 days, another person, usually a police officer has the authority to take the patient immediately to a psychiatric facility. A Form 1 does not relate to being detained in jail or any other institution except for a psychiatric facility. After 7 days, the Form 1 is no longer in effect - the doctor would have to release the patient or re-examine the patient and issue another Form 1.
- Once the assessment resulting from the Form 1 is completed, a person is released, admitted as a voluntary/informal patient or admitted as an involuntary patient.
- To be admitted as an involuntary patient, a second doctor (i.e. a different one than signed the Form 1) must examine the person and determine that they meet the criteria under the law. If the person is not made an involuntary patient after 72 hours, they are entitled to leave the facility.

Form 1 Box A: Serious Harm Test - Physician uses their own and others' observations to complete Past/Present tests re:

- Bodily harm to self or others
- Behaving violently to someone
- Causing someone to fear bodily harm
- Lack of competence to care for self

Serious bodily harm “interferes with the health or comfort of the person and is more than merely transient or trifling.” Example: patient with diabetes and refusing treatment, note the details and especially those related for previous illness related to treatment refusal. Note any medical findings, i.e. weight loss, cachexia. **Also includes a Future test** re bodily harm, or serious physical impairment to self or other.

Form 1 Box B: Patients who are Incapable of Consenting to Treatment and Meet the Specific Criteria

- Purpose: To get a person help before they get sick when they have gone off their meds. Patient must meet all the following criteria:
 - Previously treated for the same mental disorder
 - Shown clinical improvement as a result of treatment
 - Is incapable of consent
 - Suffering from the same mental condition
 - At risk (same risks as above: harm to self or other, risk of substantial mental deterioration, serious physical impairment)

Form 2: Order for Psychiatric Examination

Anyone can complete a Form 2, i.e. MD, case manager, family member. The Form 2 must be taken to Justices of the Peace found at Old City Hall. Justice of the Peace then obtains an Order for Psychiatric Examination. This form is used, for example, when there is no doctor who could do a Form 1. The Justice of the Peace takes the "...information upon oath..." and then gives the informant the completed Form 2. The informant gives Form 2 to police. Police have 7 days to bring the subject into hospital.

Form 2A Criteria

- Risk of harm to self or others
- Violence toward another person, or fear of that
- Lack of competence to care for self
- Apparently suffering from a mental disorder that will likely result in
 - Serious bodily harm to the person
 - Serious bodily harm to others
 - Serious physical impairment

OR

Form 2B Criteria

- Previously received treatment for mental disorder
- If not treated, this is likely to result in harm
- Has shown improvement as a result of treatment
- Is suffering from the same disorder now
- Likely to cause
 - Serious bodily harm to the person
 - Serious bodily harm to others
 - Serious physical impairment
- AND Incapable of consent

Role of Police- Apprehension under MHA

Where a police officer has reasonable and probable grounds to believe that any of the following will occur:

- Bodily harm to self or others, behaving violently to someone and/or causing someone to fear bodily harm
- Lack of competence to care for self
- Likely to cause
 - Serious bodily harm to the person
 - Serious bodily harm to others
 - Serious physical impairment

Community Treatment Order (CTOs)

As set out in the legislation itself, the purpose of CTOs is to get patients out of hospital and into the community where they may be provided with community-based treatment or care and supervision that is less restrictive than being detained in a psychiatric facility. The legislation provides that CTOs are directed at developing a comprehensive community treatment plan for the person who "as a result of his or her serious mental disorder" experiences the following pattern: ≥30 days as an inpatient over 3 years and patient is usually incapable of making decisions. CTOs are usually done as inpatient and include:

- Frequency of visits
- Case managers or physician (usually psychiatrists)
- Taking medication
- Urine drug screen

References: C_HEAL Presentation Deck, St. Michael's Hospital, 2019

https://www.cmhak.on.ca/images/Form2_Navigation.pdf

<https://www.cleo.on.ca/en/publications/form1>

https://www.sse.gov.on.ca/mohltc/ppao/en/Pages/InfoGuides/2016_Form1.aspx?openMenu=smenu_InfoGuides