



Chief Psychiatrist Schedule of Delegations

Approval for Inpatient Treatment Order in General Hospital - *Mental Health Act 2014* sections 61(2)(b) and 131(4)(b)

Process for approval, responsibilities of delegated officers and instrument of delegation

Version Control

Schedule of Delegations supersedes the schedule issued as per the table below

Version	Date	Currency
1.0	30 December 2015	Superseded
1.1	22 January 2016	Superseded
1.2	11 January 2018	Superseded
1.3	15 February 2018	Superseded
1.4	01 March 2018	Superseded
1.5	07 October 2019	Superseded
1.6	24 February 2021	Superseded
1.7	03 February 2023	Superseded
1.8	09 May 2023	Current



CHIEF PSYCHIATRIST of Western Australia

This document lays out the process for applying to the Chief Psychiatrist or their delegate for approval to make an inpatient treatment order in a general hospital under section 61(2)(b) or section 131(4)(b) of the *Mental Act 2014* (Act), and details the responsibilities of the delegated officer.

The instrument of delegation, which lists who can exercise the power of the Chief Psychiatrist to consent to an order being made under section 61(2)(b) or section 131(4)(b) of the Act, is attached.

IMPORTANT

- The delegated powers of the Chief Psychiatrist are vested in the officers specified in the Instrument of Delegation.
- Officers specified in the Instrument of Delegation do not have authority to delegate the powers delegated to them to another person.
- Prescribed Medical Practitioners who hold the title 'Registrar in Psychiatry,' 'Senior Medical Practitioner' or 'Health Service Medical Practitioner' are **NOT** authorised to discharge this delegated power of the Chief Psychiatrist.

1. Section 61(2)(b) and section 131(4)(b) Inpatient Treatment Order in General Hospital

Responsibilities of the delegated officer

In exercising the power of the Chief Psychiatrist under section 61(2)(b) or section 131(4)(b) of the Act, the delegated officer must comply with the following;

- Ensure that the examination by the psychiatrist of the person referred on the Form 1A took place external to an Authorised Hospital;
- Ensure the delegated officer is satisfied that attempting to take the person to, or to detain the person at an authorised hospital poses a significant risk to the person's physical health;
- Ensure that consent is sought from the delegate prior to the Form 6B being completed;
- The delegated officer must give their approval in writing via email and copy the email in to: monitoring@ocp.wa.gov.au
- Although not legislated for, inform the psychiatrist who made the order that a completed copy of the Form 6B *Inpatient Treatment Order in General Hospital* should be forwarded to Monitoring at the OCP.
- Remind the treating psychiatrist that a copy of Attachment to 6B *Inpatient Treatment Order in General Hospital; Report to Chief Psychiatrist* must be forwarded to the Office of the Chief Psychiatrist (OCP) at least every 7 days while the person is an inpatient at a General Hospital.
- Inform the treating psychiatrist that the OCP should be informed if and when the patient is no longer an involuntary patient in a general hospital.



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Process for seeking Chief Psychiatrist or their delegate's approval for Inpatient Treatment Order in a General Hospital (Form 6B)

- A Psychiatrist seeking the Chief Psychiatrist or Delegate's consent to complete a Form 6B **must** via a telephone call or email provide the following details:
 - The referred person's demographic details
 - The clinical reasons for seeking an Inpatient Treatment Order in a General Hospital, which demonstrates:
 - that any attempt to take the person to, or detain the person at an authorised hospital, poses a significant risk to the person's physical health.
- On receipt of a request the Officer exercising the Chief Psychiatrist's power of approval **must** respond in writing via email and copy the email in to: monitoring@ocp.wa.gov.au
- Approval from the Chief Psychiatrist or their delegate must be received **before** completing Form 6B
- Please note that detaining a person as an involuntary patient in a general hospital does not give permission for involuntary non-psychiatric treatment. Any non-psychiatric treatment has to be given with consent or using the usual substitute decision making provisions that apply in general hospitals.

INSTRUMENT OF DELEGATION

MENTAL HEALTH ACT 2014 (s.537)

1. I, Nathan Gibson, Chief Psychiatrist of Western Australia, acting pursuant to **section 537(1)** of the ***Mental Health Act 2014 (the Act)***, hereby delegate to persons who meet the definition of a psychiatrist under section 4 of the Act, and who;
 - (i) hold the following offices; or
 - (ii) may from time to time, act in these offices,all the powers and duties conferred on me under **section 61(2)(b)** and **section 131(4)(b)** of the Act:

Office of the Chief Psychiatrist

- Deputy Chief Psychiatrist – Office of the Chief Psychiatrist.

Child and Adolescent Mental Health Services (CAHS, CAMHS)

- Medical Co-Director - Child and Adolescent Mental Health Services, Child and Adolescent Health Services
- Head of Department – Specialised Services, Child and Adolescent Mental Health Services, Child and Adolescent Health Services
- Head of Department – Perth Children’s Hospital Child and Adolescent Mental Health Service, Child and Adolescent Health Service
- Head of Department - Community Services, Child and Adolescent Mental Health Service, Child and Adolescent Health Service.

East Metropolitan Health Service (EMHS)

- Head of Department, East Metropolitan Health Service, Psychiatry Armadale Kalamunda Group
- Medical Co-Director - East Metropolitan Health Service, Mental Health, Royal Perth Bentley Group
- Clinical Lead – East Metropolitan Health Service, Royal Perth Hospital, Psychiatry.

North Metropolitan Health Service (NMHS)

- Director of Clinical Services - North Metropolitan Health Service, Mental Health
- Medical Co-Director - North Metropolitan Health Service, Acute Mental Health
- Medical Co-Director - North Metropolitan Health Service , Mental Health Specialties
- Medical Co-Director - North Metropolitan Health Service, Community Mental Health
- Medical Co-Director and Director of Psychiatry– Women’s Health, Genetics and Mental Health, King Edward Memorial Hospital.

South Metropolitan Health Service (SMHS)

- Medical Co-Director –South Metropolitan Health Service, Rockingham Peel Group Mental Health Services
- Head of Service – South Metropolitan Health Service, Mental Health, Fiona Stanley Hospital
- Head of Service – South Metropolitan Health Service, Mental Health, Fremantle Hospital.

Western Australia Country Health Service (WACHS)

- Clinical Director - WACHS Great Southern Mental Health Service
- Clinical Director - WACHS Goldfields Mental Health Service
- Clinical Director – WACHS Kimberly Mental Health and Drug Service
- Clinical Director – WACHS Pilbara Mental Health and Drug Service
- Clinical Director – WACHS Midwest Mental Health
- Clinical Director – WACHS South West Mental Health
- Clinical Director – WACHS Wheatbelt Mental Health
- Clinical Lead – WACHS Mental Health Emergency Telehealth Service
- Director of Psychiatry – WACHS Child and Adolescent Mental Health Service
- Director of Psychiatry –WACHS Youth Mental Health Service
- Directory of Psychiatry – WACHS Adult/Older Adult Mental Health Service.

Public Private Partnership

- Head of Department - Joondalup Health Campus – Mental Health Unit
- Head of Clinical Service - St John of God Midland Public Hospital, Mental Health Service.

2. This instrument of delegation shall remain in force until otherwise amended or revoked.
3. All prior delegations issued in relation to the delegations covered by this instrument are revoked.

DATED: 9 May 2023

A handwritten signature in dark ink, appearing to read 'Nathan Gibson', with a long horizontal stroke extending to the right.

Dr Nathan Gibson
CHIEF PSYCHIATRIST