



## **Mental Health Bill reintroduced**

13 November 2008

The State Government's proposed overhaul of the State's mental health legislation will continue, with a reform Bill reintroduced into State Parliament this week.

Mental Health and Substance Abuse Minister Jane Lomax-Smith says the new legislation aims to transform the requirements around treating people with serious mental illness.

"The proposed changes are part of our broader reform that involves investing millions of dollars into rebuilding community and hospital-based services and facilities and introducing new models of care that are more patient focussed," Dr Lomax-Smith says.

"Mental health is very much everyone's business, with about one in five Australians experiencing some form of mental illness in their lives.

"It's important that as a Government we take steps to support and improve the way all South Australians are treated when they come into contact with the public healthcare system.

"As Minister for Mental Health, I'm pleased to be re-introducing the Mental Health Bill 2008 into State Parliament.

"This is the next phase in bringing the state's current Mental Health Act up to date with modern approaches to delivering mental health care.

"Changes include providing earlier access to services, particularly in rural communities, therefore reducing the need for travel to Adelaide.

"Mental health clinicians and ambulance officers will be able to transport a person requiring mental health assessment, so that police need only be involved when there is a safety risk.

"I would like to acknowledge the input from mental health peak bodies, clinical professionals and service user groups in refining the Bill during the statutory engagement process."

The Mental Health Bill will now be debated by MPs and, once passed, replaces the Mental Health Act 1993.

### **Mental Health Bill snapshot:**

- Affirms the rights, dignity and civil liberties of mental health patients and their carers.

- Takes into account the traditional beliefs and practices of people of Aboriginal or Torres Strait Islander descent.
- Accommodates culturally appropriate treatment options.
- Takes into account the different developmental stages of children and young persons, and the needs of the aged.
- Recognises care in the community as an important treatment option for some people with a mental illness.
- Authorises psychiatrists, medical practitioners – including GPs – and authorised health professionals to make Level 1 orders for treatment in the community or in hospital.
- Maintains the Guardianship Board’s current role of making all longer-term orders for community or hospital treatment. However, the Bill enhances the Board’s reviewing role, providing an additional a safeguard for service users.
- Provides for comprehensive individual treatment and care plans.
- Recognises the importance of early intervention and access to specialist psychiatric examination and services.
- Allows mental health clinicians to take, or arrange for a person who has or who appears to have a mental illness to be taken for assessment. The changes are designed to minimise the involvement of police in transportation.
- Provides additional safeguards for people on orders and creates powers to monitor and review standards of care, through the new position of Chief Psychiatrist.
- Allows for country hospitals with appropriate facilities to provide secure inpatient care and treatment of a person for up to seven days (preventing unnecessary transfers to Adelaide).
- Provides for the use of audio-video conferencing to enable early access to specialist advice and examination.
- Clarifies the interstate arrangements for people who are subject to orders.
- Provides for the use of interpreters and that, as far as practicable, information provided should be in a form that the person can understand.

The Mental Health Bill can be viewed at [www.health.sa.gov.au/mentalhealth](http://www.health.sa.gov.au/mentalhealth)