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The board can also arrange for a patient to be examined by a psychiatrist or engage independent experts to present evidence or make submissions.

If needed, the board can meet with the involuntary patient in private.

***Role of rights advisor***

The rights advisor may advise and assist involuntary patients or their representatives in asking for a review of their case by the Review Board.

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## Notes

*For more information contact:*

[www.gov.nl.ca/health/mhcta](http://www.gov.nl.ca/health/mhcta)



Department of Health & Community Services

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## MENTAL HEALTH *Care & Treatment Act*

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***Mental  
Health Care  
and  
Treatment  
Act Review  
Board***



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## ***New legislation***

In December 2006, the House of Assembly passed new legislation focused on the protection and treatment of people suffering from severe mental illness.

Effective October 1, 2007, the new Act represents a new approach in providing interventions and services for people with severe and persistent mental illness.

The Act addresses an individual's right to

- Know where and why he / she is being detained
- Access a telephone and visitors
- Send and receive correspondence
- Retain and instruct counsel
- Access his/her representative and rights advisor
- Have input (and representative input) into treatment decisions

The Act provides specific timelines for

- certification
- renewal of certificates
- changing the status of a voluntary

patient to an involuntary one

- transporting a patient and
- Asking for a review by the MHCTA Review Board.

These new changes reflect the focus on ensuring accountability and transparency.

## ***Board membership***

A key component to ensuring accountability will be the Mental Health Care and Treatment Review Board.

This board is composed of lawyers, doctors, and community representatives who reflect the cultural, ethnic, and regional diversity of the province.

Community representatives are those who express an interest in mental health issues, with preference being given to a person who is or has been a consumer of mental health issues.

Members are appointed for three years. When required, the Review Board will convene a panel of three

members representing the three groups.

## ***Board responsibilities***

The members are responsible for seeing that the patient meets certain requirements of the Act (i.e. certification or CTO criteria, rights complaints).

They have the authority to

- Review (and approve or revoke) all certifications and Community Treatment Orders
- Conduct automatic reviews on all individuals held more than 60 days
- Review and make recommendations in situations of allegations of unreasonable denial of a right.

As part of their work, the board members can require the attendance of witnesses and production of documents.

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