

 BAY OF PLENTY DISTRICT HEALTH BOARD HAUORA A TOI CLINICAL PRACTICE MANUAL	SECOND HEALTH PROFESSIONAL REPORT MENTAL HEALTH (COMPULSORY ASSESSMENT & TREATMENT ACT) 1992 ss16 & 18	Protocol CPM.M5.6
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OBJECTIVE

The Mental Health (Compulsory Assessment & Treatment Act) 1992 ss16 & 18 obliges a judge conducting an inquiry to consult a second health professional involved in the case.

The purpose of this protocol is to provide Bay of Plenty District Health Board (BOPDHB) Mental Health & Addiction Services (MH&AS) staff with:

- Guidelines and procedures for safe and efficient operation of the Mental Health (CAT) Act. 1992. ss16 and 18.
- Clarification of the role and scope of the second health professionals' report.
- A direction for staff to operate within the MHA (CAT) Act 1992.

STANDARDS TO BE MET

Second Health Professional Report

	ACTION	RATIONALE
1.	If the patient is new to the MH&AS, the relevant services Team Leader will designate a staff member: <ul style="list-style-type: none"> • To assume responsibility for delivering / co-ordinating patient care in the interim and; • Attend the s16/18 hearing as the Second Health Professional. • If the patient is new to the service and an inpatient, the 2nd HP is an inpatient staff member 	<ul style="list-style-type: none"> • To provide leadership and support for staff to carry out the requirements of the Mental Health (Compulsory Assessment & Treatment Act) 1992 & Amendments
2.	If the patient is already engaged with MH&AS and has a case manager: <ul style="list-style-type: none"> • The case manager will be the 2nd health professional and complete the second health professional report and attend the hearing. • If the case manager is unavailable, the relevant services Team Leader will designate a staff member involved in the patient's care to complete the second health professional report and attend the hearing. 	<ul style="list-style-type: none"> • To provide leadership and support for staff to carry out the requirements of the Mental Health (Compulsory Assessment & Treatment Act) 1992 & Amendments
3.	The Second Health Professional Report will contain professional observations about: <ul style="list-style-type: none"> • Treatment efficacy (how the patient is responding to treatment and change / no change in condition). • Observations of the patient's mental state. • Risk issues. • Best Practice Guideline Review under s.16 MH(CAT) Act 1992 and 	<ul style="list-style-type: none"> • The purpose of a written report is to assist the judge to formulate relevant questions and also allows for another perspective of the case under review

Issue Date: Sep 2021 Review Date: Sep 2024	Page 1 of 3 Version No: 6	NOTE: The electronic version of this document is the most current. Any printed copy cannot be assumed to be the current version.
Protocol Steward: DAMHS, MH&AS	Authorised by: Chief Medical Officer	

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	ACTION	RATIONALE
	<ul style="list-style-type: none"> • Second Health Professional Report Checklist 	
4.	<p>The second health professional's report will be compiled after a review of the patient's:</p> <ul style="list-style-type: none"> • admission form and health record • assessment form and health record • risk assessment both current and cumulative • Treatment Plan • Health record relating to the current admission. • and following some interaction / observation of / with the patient. 	<ul style="list-style-type: none"> • The report of the second health professional is not legally binding and is not concerned with diagnosis or applying the test of the definition of mental disorder to the clinical picture – those tasks are undertaken by the Responsible Clinician
5.	<p>The second health professionals' report will be written following the format specified on the appropriate form - Second Health Professional Report Form</p>	<ul style="list-style-type: none"> • The Act stipulates that the judge must consult a second health professional. The judiciary interpret this to mean that the second health professional is present at the hearing and available to answer any questions the judge may have or make any statement the judge may invite. The second health professional form is designed to support that process
6.	<p>Second Health Professional Reports for SS18 hearing need to be received by the MHA Administrator at least two (2) days prior to hearing at midday.</p> <ul style="list-style-type: none"> • to allow the Judge and counsel time to review documents. 	<ul style="list-style-type: none"> • The MHA Administrator does not inform Sector Admin's but does inform all other relevant parties. • Court arranges S16 hearing within three working days from application being submitted to court. When this is not possible (i.e. no Judge available) the court arranges for the next working day possible.

REFERENCES

- Mental Health (Compulsory Assessment & Treatment) Act 1992 & Amendments
- [Applications for Review under s.16 MH\(CAT\) Act 1992 Best Practice Guidelines. Ministry of Health. 2004](#)
- [Best Practice Guideline Review under s.16 MH\(CAT\) Act 1992](#)

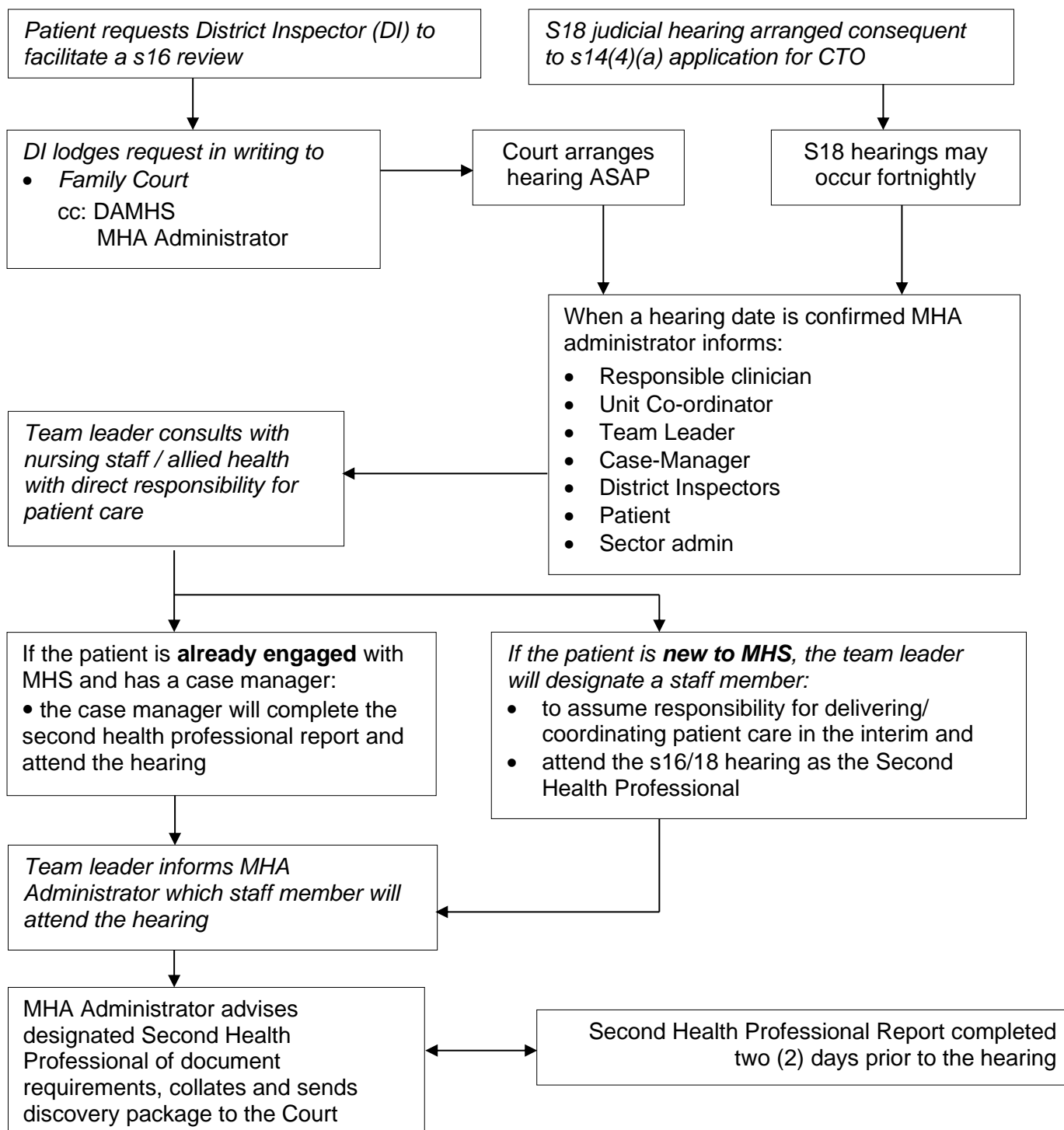
ASSOCIATED DOCUMENTS

- [Second Health Professional Report Checklist](#)
- [Second Health Professional Report Form](#)

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FLOWCHART: SECOND HEALTH PROFESSIONAL REPORT



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