

# YOUR RIGHTS under BC's MENTAL HEALTH ACT

## Under BC's Mental Health Act...

...you can be certified as an involuntary patient *only* if a doctor has examined you and believes you meet *all four* of these criteria:

1. your ability to react to your environment and associate with others is seriously impaired because of a mental disorder,
2. you need psychiatric treatment,
3. you need care, supervision, and control to protect you or others or to prevent you from deteriorating substantially, either mentally or physically, and
4. you can't be admitted as a voluntary patient.

If you've been certified, you can't leave the hospital without your doctor's permission, and you can't refuse psychiatric treatment, including medication – but you don't lose all your rights.

## You have the right...

### ...to know where you are

Ask a nurse for the name and address of the hospital.

### ...to know why you've been certified

The reasons for your certification are on your certificate (Form 4) or renewal certificate (Form 6), which you have the right to see.

## You have the right...

### ...to be examined by a doctor

At least once per certification period, a doctor must examine you to see if you meet the certification criteria. If the doctor believes you no longer meet the criteria, you will be decertified.

CERTIFICATION PERIODS				
1st certificate	2nd certificate	1st renewal	2nd renewal	3rd & further renewals
48 hrs	1 month	1 month	3 months	6 months (can repeat)

### ...to ask for a review panel hearing

An independent panel will hear your case and decide if you meet the certification criteria. To apply, fill out **Form 7**. For free representation (a lawyer or advocate) at your hearing, call the Mental Health Law Program:

**604-685-3425 in the Lower Mainland**  
**1-888-685-6222 elsewhere in BC**  
**10 AM-noon & 1:30 PM-4:30 PM, Monday to Friday**

### ...to ask for a second medical opinion

If you don't agree with your psychiatric treatment, you can ask for another doctor to examine you. Fill out **Form 11** to ask for a second opinion.

### ...to speak with a lawyer

A lawyer can give you legal advice about certification or can ask a judge to review your case. For 30 minutes of free legal advice over the phone, make an appointment with Access Pro Bono:

**604-482-3195 ext. 1500 in the Lower Mainland**  
**1-877-762-6664 ext. 1500 elsewhere in BC**  
**10 AM-4 PM, Monday to Friday**

## When you leave the hospital...

...you may:

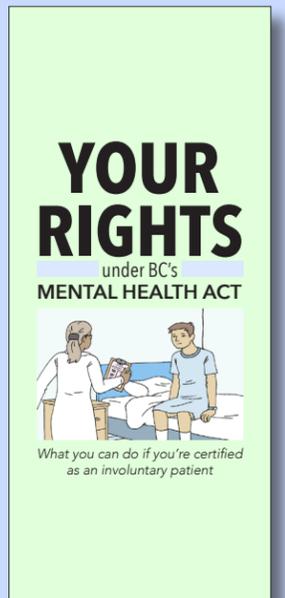
- be discharged and be completely free to go, or
- be placed on extended leave.

On extended leave, you can live out in the community but will still be certified and will have to follow conditions, like visiting a mental health team and taking psychiatric medications.

You have the same rights on extended leave as you do in the hospital, including the right to ask for a review panel hearing.

## To learn more about your rights...

...ask a nurse for a copy of **Form 13** or a "Your Rights under BC's Mental Health Act" pamphlet, which has more details about each of these rights.



This poster was created by the Mental Health Act Rights Advice research team (bcmentalhealthrights.ca). Funding for this research was provided by