**Certificate supporting an application for assessment**

|  |  |
| --- | --- |
| To: | *Location* |
| The Director of Area Mental Health Services, at: | Click or tap here to enter text. |
|   | *Full name* |
| Name of proposed patient: | Click or tap here to enter text. |
|  | *Date of birth* |
| Proposed patient'sdate of birth: | Click or tap here to enter text. |
|  | *Address* |
| Of: | Click or tap here to enter text. |
|  |
|  |  |
| Date of examination: | Click or tap to enter a date. |
| Method of examination: | [ ]  In person [ ]  Audio-Visual Link (AVL) |
| Rationale for AVL (if applicable): | Click or tap here to enter text. |
|  |  |
| I am the mental health practitioner2 (*see reverse*) | *Full name of mental health practitioner* |
| who examined theproposed patient: | Click or tap here to enter text. |
|  | *Business address and telephone number of mental health practitioner* |
| of: | Click or tap here to enter text. |
|  |
| I consider there are reasonable grounds for believing the proposed patient may be mentally disordered and my reasons for that opinion in relation to the statutory definition of mental disorder1 (*see reverse*) are: |
|  *Full particulars of the reasons for opinion on proposed patient's condition* |
| *Note: continue on a separate sheet if necessary.* |  |
| I declare that I am not related to the proposed patient nor to the applicant and have examined the proposed patient within the last 3 days. |
|  |   Click or tap to enter a date. |
|  | *Signature of mental health practitioner Date* |

[ ]  This certificate is to accompany an application for assessment either completed by a mental health practitioner or by a person, usually a relative or someone associated with the proposed patient and who has seen the proposed patient within the last 3 days.

**Mental Health (Compulsory Assessment and Treatment) Act 1992**

**Section 2 INTERPRETATION**

”**Mental disorder**”, in relation to any person, means an abnormal state of mind (whether of a continuous or an intermittent nature), characterised by delusions, or by disorders of mood or perception or volition or cognition, of such a degree that it—

(a)Poses a serious danger to the health or safety of that person or of others; or

(b)Seriously diminishes the capacity of that person to take care of himself or herself;

“**Mental health practitioner**” means—

(a) a medical practitioner; or

(b) a nurse practitioner; or

(c) a registered nurse practising in mental health.

“**Medical practitioner**” means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by [section 114(1)﻿(a)](https://www.legislation.govt.nz/act/public/1992/0046/latest/link.aspx?id=DLM204329" \l "DLM204329) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine.

“**Nurse practitioner**” means a health practitioner who—

(a) is, or is deemed to be, registered with the Nursing Council of New Zealand continued by [section 114(1)﻿(a)](https://www.legislation.govt.nz/act/public/1992/0046/latest/link.aspx?id=DLM204329#DLM204329) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing and whose scope of practice permits the performance of nurse practitioner functions; and

(b) holds a current practising certificate.

“**Registered nurse practising in mental health**” means a health practitioner who—

(a) is, or is deemed to be, registered with the Nursing Council of New Zealand continued by [section 114(1)﻿(a)](https://www.legislation.govt.nz/act/public/1992/0046/latest/link.aspx?id=DLM204329#DLM204329) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing and whose scope of practice includes the assessment of the presence of mental disorder as defined under this Act; and

(b) holds a current practising certificate.

Section 4 GENERAL RULES RELATING TO LIABILITY TO ASSESSMENT OR TREATMENT

The procedures prescribed by Parts 1 and 2 of this Act shall not be invoked in respect of any person by reason only of—

(a)That person's political, religious, or cultural beliefs; or

(b)That person's sexual preferences; or

(c)That person's criminal or delinquent behaviour; or

(d)Substance abuse; or

(e)Intellectual disability

Section 7A PRACTITIONER OR RESPONSIBLE CLINICIAN TO CONSULT

(1)In this section, “practitioner” means—

(a)A mental health practitioner conducting an assessment examination of a proposed patient under section 9; and

(b)A responsible clinician providing an assessment of, or treatment to, a patient

(2)A practitioner must consult the family or whanau of the proposed patient or patient. This subsection is subject to subsection (3).

(3)Subsection (2) does not apply if the practitioner has reasonable grounds for deciding that consultation—

(a)Is not reasonably practicable; or

(b)Is not in the best interests of the proposed patient or patient.

(4)In deciding whether or not consultation with the family or whanau is in the best interests of a proposed patient or patient the practitioner must consult the proposed patient or patient.