**Certificate supporting an application for assessment**

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| --- | --- |
| 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's  date 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 the  proposed 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)tabPoses a serious danger to the health or safety of that person or of others; or

(b)tabSeriously 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)tabThat person's political, religious, or cultural beliefs; or

(b)tabThat person's sexual preferences; or

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

(d)tabSubstance abuse; or

(e)tabIntellectual disability

Section 7A PRACTITIONER OR RESPONSIBLE CLINICIAN TO CONSULT

(1)http://www.legislation.govt.nz/sdimages/tab.gifIn this section, “practitioner” means—

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

(b)http://www.legislation.govt.nz/sdimages/tab.gifA responsible clinician providing an assessment of, or treatment to, a patient

(2)http://www.legislation.govt.nz/sdimages/tab.gifA practitioner must consult the family or whanau of the proposed patient or patient. This subsection is subject to subsection (3).

(3)http://www.legislation.govt.nz/sdimages/tab.gifSubsection (2) does not apply if the practitioner has reasonable grounds for deciding that consultation—

(a)http://www.legislation.govt.nz/sdimages/tab.gifIs not reasonably practicable; or

(b)http://www.legislation.govt.nz/sdimages/tab.gifIs not in the best interests of the proposed patient or patient.

(4)http://www.legislation.govt.nz/sdimages/tab.gifIn 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.