# Mental health legal status

Important note: This is an archived metadata standard from the AIHW Knowledgebase. For current metadata standards and related information please access METeOR, the AIHW's Metadata Online Registry at <a href="http://meteor.aihw.gov.au">http://meteor.aihw.gov.au</a>

### Identifying and Definitional Attributes

Data Dictionary: NHDD

Knowledgebase ID: 000092 Version number: 4

Metadata type: DATA ELEMENT

Registration NHIMG Admin status: SUPERSEDED

Authority: Effective date: 30-JUN-00

Definition: Whether a person is treated on an involuntary basis under the

relevant State or Territory mental health legislation, at any time during an episode of care for an admitted patient or treatment of a patient/client by a community based service during a reporting

period.

Involuntary patients are persons who are detained in hospital or compulsorily treated in the community under mental health

legislation for the purpose of assessment or provision of appropriate

treatment or care.

Context: Mental health care: this data element is required to monitor trends in

the use of compulsory treatment provisions under State and Territory mental health legislation by Australian hospitals and community health care facilities, including 24-hour community based residential services. For those hospitals and community mental health services which provide psychiatric treatment to involuntary patients, mental health legal status information is an

essential data element within local record systems.

### Relational and Representational Attributes

Datatype: Numeric

Representational CODE

form:

Representation N

layout:

Minimum Size: 1
Maximum Size: 1

Data Domain: 1 Involuntary patient

2 Voluntary patient

Guide For Use: Approval is required under the State or Territory mental health legislation in order to detain patients for the provision of mental health care or for patients to be treated compulsorily in the community. Code 1 involuntary status should only be used by facilities which are approved for this purpose. While each State and Territory mental health legislation differs in the number of categories of involuntary patient that are recognised, and the specific titles and legal conditions applying to each type, the legal status categories which provide for compulsory detention or compulsory treatment of the patient can be readily differentiated within each jurisdiction. These include special categories for forensic patients who are charged with or convicted of some form of criminal activity.

> Each State/Territory health authority should identify which sections of their mental health legislation provide for detention or compulsory treatment of the patient and code these as involuntary status.

> The mental health legal status of admitted patients treated within approved hospitals may change many times throughout the episode of care. Patients may be admitted to hospital on an involuntary basis and subsequently be changed to voluntary status; some patients are admitted as voluntary but are transferred to involuntary status during the hospital stay. Multiple changes between voluntary and involuntary status during an episode of care in hospital or treatment in the community may occur depending on the patient's clinical condition and his/her capacity to consent to treatment.

Collection Methods: 1 Admitted patients: to be collected if the patient is involuntary at any time during the episode of care.

> 2 Patients in 24-hour staffed community-based residential services: to be collected if the patient is involuntary at any time during the stay in the residence.

3 Non-admitted patients: to be collected if the patient is involuntary at any time during a specified collection period.

Related metadata: supersedes previous data element Mental health legal status version 3

has been superseded by Mental health legal status version 5

#### Administrative Attributes

Source Document:

Source Organisation: National Health Data Committee

Comments: .

## Data Element Links

Information Model Entities linked to this Data Element

NHIM Legal characteristic

Data Agreements which include this Data Element

NMDS - Admitted patient mental health From 01-Jul-99 to 30-Jun-00

care

NMDS - Community mental health care From 01-Jul-98 to 30-Jun-00