



INFOGUIDE

November 2008

FORM 1

APPLICATION FOR PSYCHIATRIC ASSESSMENT

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What is a Form 1?

- A Form 1 is also referred to as an APA (Application for Psychiatric Assessment). The Form 1 allows a doctor to hold you in a hospital for up to 72 hours to complete a psychiatric assessment. This assessment is to determine whether you require the care and supervision that a psychiatric hospital can provide.
- A doctor may sign a Form 1, whether you are in the community or in hospital. However, the doctor must have examined you within the 7 days before he or she signs the Form 1.
- Once a Form 1 is signed, it lasts for 7 days. After 7 days have expired, it is no longer in effect and a doctor would have to examine you and issue another Form 1. Within those 7 days, another person (typically a police officer) has the authority to take you immediately to a psychiatric hospital. The Form 1 does not allow anyone to detain you in jail or in any other institution other than a psychiatric hospital.
- Once the assessment is completed you must be released, admitted as a voluntary or informal patient, or admitted as an involuntary patient.
- To be admitted as an involuntary patient, a second doctor must examine you and determine that you meet the appropriate test under the law. If you are not made an involuntary patient after 72 hours, you are entitled to leave the psychiatric hospital.

Can the doctor really keep me in the hospital against my will?

- Yes. The Form 1 allows the doctor to keep you in the hospital for up to 72 hours from the time you are detained at the hospital for assessment.

Does it have to be a psychiatrist that assesses me?

- No. Any doctor can place you on a Form 1. There is no legal requirement for this doctor to be a psychiatrist. However, a doctor must assess you before you can be placed on a Form 1.

Does the doctor have to tell me the reason for keeping me in the hospital?

- You have the right to know the reason for your detention and receive a written notice with those reasons, called a Form 42 (Notice to Person of Application for Psychiatric Assessment). The reason that the doctor is holding you on the Form 1 will be given to you on a Form 42. You have the right to receive the Form 42 immediately.

Can I contact a lawyer?

- Yes. The Form 42 gives you notice that you have the right to retain and instruct a lawyer, without delay. The hospital has to provide you with the ability to do so (for example, they must allow you access to a phone).

What happens if the doctor doesn't give me a Form 42?

- The Form 1 is invalid if you do not receive a copy of the Form 42.

Can I apply to the Consent and Capacity Board to challenge the Form 1?

- No. You do not have the right to apply to the Consent and Capacity Board to challenge the doctor's decision to place you on a Form 1.

Do I get rights advice on a Form 1?

- No. When you are on a Form 1 you do not receive rights advice.

What happens after the Form 1?

- Within the 72-hour period, the doctor must decide to do one of the following:
- Release you,
- Make you an informal or voluntary patient;
- Make you an involuntary patient.
- If the doctor decides to admit you as an involuntary patient, you will be placed on a Form 3 (Certificate of Involuntary Admission). You will be given a Form 30 (Notice to Patient) which is your notice of a change in your legal status. At this point you will receive a visit from a rights adviser and further information regarding your rights will be provided.

Questions?

Contact your local PPAO Patient Advocate or Rights Adviser or contact the Central Office at 1-800-578-2343. Visit our website at www.ppa.gov.on.ca for information about patients' rights.