

Mental Health Act 2016

Chief Psychiatrist Policy

Clinical need for medication

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General

The *Mental Health Act 2016* (the Act) makes it an offence for a person to administer medication to a patient unless the medication is clinically necessary for the patient's treatment and care for a medical condition.

Treatment and care of a medical condition includes preventing imminent serious harm to the patient, or others. Medication includes the use of sedation.

Authorised mental health services (AMHSs) are responsible for the quality use of medicines (QUM) under the *National Strategy for QUM*, within the *National Medicines Policy*.

QUM involves:

- a considered selection of treatment options,
 - medicines, whether prescribed, recommended, and/or self-selected should be used only when appropriate, with non-medicinal alternatives considered as needed
- appropriate choice of medicine when medicine is required, and
- safe and effective use of medicines.

In addition, AMHSs must comply with the *National Safety and Quality Health Service Standards*. These include medication safety, with the intention of ensuring that competent clinicians safely prescribe and administer appropriate medicines to informed patients and carers.

Scope

This policy is mandatory for all Authorised Mental Health Services (AMHSs). An authorised doctor, authorised mental health practitioner, AMHS administrator, or other person performing a function or exercising a power under the Act **must** comply with this policy.

Clinicians should work collaboratively with and in partnership with patients to ensure their unique age-related, cultural and spiritual, gender-related, religious and communication needs are recognised, respected and followed to the greatest extent practicable. Clinicians should consider the timely involvement of appropriate local supports and provide treatment and care with a recovery-oriented focus.

This policy **must** be implemented in a way that is consistent with the objects and principles of the Act.

Policy

Key Points

AMHSs **must** apply their local clinical governance arrangements in monitoring the appropriate use of medications for persons with a mental illness.

- The use of medications outside of the usual indications or doses must be monitored within each AMHS under these clinical governance arrangements.

The Chief Psychiatrist may be contacted for guidance on these matters.

The Chief Psychiatrist may audit the use of medications in AMHSs.

The Chief Psychiatrist may investigate the use of medications for a non-therapeutic purpose.

In undertaking an investigation, the Chief Psychiatrist may seek advice from a senior clinician with specific expertise in the use of the medication.

Where it is found that the use of a particular medication has no therapeutic benefit to a patient, the Chief Psychiatrist may issue directives about the administration of certain medications or dosages of certain medications.

1 Notifications

Key Points

The AMHS administrator or a clinical director **must** notify the Chief Psychiatrist as soon as practicable if they have any concerns regarding the non-therapeutic use of a medication on a patient.

The Chief Psychiatrist **must** be notified immediately where the use of a medication results in or appears to be associated with:

- the death of a patient during the use of the medication or within 24 hours of the use of the medication, or
- significant harm to a patient during the use of the medication or within 24 hours of the use of the medication.

Notifications must be made by the AMHS administrator or a clinical director (or appropriately delegated person) via phone or email to the Chief Psychiatrist.

Notifications are in addition to AMHS responsibilities under the [Chief Psychiatrist Policy - Notification to Chief Psychiatrist of Critical Incidents and Non-Compliance with Act](#).

2 Monitoring and Reporting

Monitoring the use of medication that is used outside clinical indications or outside the usual dosage range is necessary to ensure the appropriate use of medications in AMHSs. De-identified and aggregate data may be publicly reported in the Chief Psychiatrist Annual Report in accordance with national standards.

Issued under section 305 of the *Mental Health Act 2016*.

Dr John Reilly
Chief Psychiatrist, Queensland Health
15 April 2020

Definitions and abbreviations

Term	Definition
AMHS	Authorised mental health service – a health service, or part of a health service, declared by the Chief Psychiatrist to be an authorised mental health service. AMHSs include both public and private sector health services. While treatment and care is provided to both voluntary and involuntary patients, additional regulation applies under the Act for persons subject to involuntary treatment and care.
Clinical Director	Means a senior authorised psychiatrist who has been nominated by the administrator of the AMHS to fulfil the clinical director functions and responsibilities.
Patient	<ul style="list-style-type: none"> • An involuntary patient, or • A person receiving treatment and care for a mental illness in an AMHS, other than as an involuntary patient, including a person receiving treatment and care under and Advance Health Directive or with the consent of a personal guardian or attorney.
Relevant AMHS administrator	<p>The relevant AMHS administrator is:</p> <ul style="list-style-type: none"> • the administrator of the AMHS currently providing clinical services to the person, or • if the person is not currently receiving mental health services (i.e. no open service episode), the administrator of the AMHS for the location where the person resides.

Referenced documents and sources

[Chief Psychiatrist Policy – Notifications to the Chief Psychiatrist of critical incidents and non-compliance with the Act](#)

[National Safety and Quality Health Service Standards](#)

[Quality Use of Medicines under the National Strategy for QUM](#)

Document status summary

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Attachment 1: Key contacts

Key contacts

Office of the Chief Psychiatrist Phone: 07 3328 9899 / 1800 989 451
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Local AMHS Administrator Name:
Phone:
Email:

Local AMHS Administrator Delegate Name:
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Clinical Director Name:
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