

# Appointment of authorised doctors and authorised mental health practitioners

## Contents

<b>General</b>	<b>3</b>
<b>Scope</b>	<b>4</b>
<b>Policy</b>	<b>5</b>
1. Appointment of authorised doctors	5
1.1. Authorised doctor (private)	6
1.2. Authorised doctor (limited practice)	6
2. Appointment of AMHP	7
2.1. Limited Practice	8
3. Conditions on appointment	8
4. Ending an appointment	9
5. Process and documentation requirements	9
6. Instruments of appointment	10
7. Identity Cards	10
8. Further information	11
Definitions and abbreviations	11
Referenced policies and resources	11
Attachment 1: Example AMHS Procedures for Appointment of Authorised doctors and Authorised Mental Health Practitioners	13
Attachment 2: Example Instrument of Appointment – Authorised doctors	21



Attachment 3: Example Instrument of Appointment – Authorised Mental Health Practitioners	27
Attachment 4: MHA2016 eLearning Course – Modules for Authorised doctors and Authorised Mental Health Practitioners (AMHPs)	31

## General

The *Mental Health Act 2016* (the Act) establishes the functions of authorised mental health service (AMHS) administrators, which includes appointing authorised doctors and authorised mental health practitioners (AMHPs). The administrator is required to keep a register of persons holding office as an authorised doctor or AMHP.

Authorised doctors and AMHPs exercise significant powers and functions which impact on the rights of individuals. Accountable appointment processes and the establishment of minimum knowledge and skill requirements for appointment are fundamental to the proper and effective administration of the Act, the protection of individual rights, and patient, carer and wider community confidence in the system of care.

All mental health service clinicians are subject to a range of standards and requirements which govern their clinical practice including, for example, [National practice standards for the mental health workforce \(2013\)](#), discipline-specific practice standards, codes of ethics, and registration and credentialing requirements.

In addition, a range of clinical governance arrangements operate at the service level to ensure safe and quality patient care, including clinical accountability and reporting structures, clinical supervision and clinical review processes. The appointment and practice of authorised doctors and AMHPs operate within this context.

## Scope

This policy is mandatory for all AMHSs. An authorised doctor, AMHP, AMHS administrator, or other person performing a function or exercising a power under the Act **must** comply with this policy.

Staff should work collaboratively and in partnership with individuals in their care 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. This should include the timely involvement of appropriate local supports and a recovery-oriented focus.

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

**This policy is issued under section 305 of the *Mental Health Act 2016***

**Dr John Reilly**  
**Chief Psychiatrist, Queensland Health**  
**27 January 2022**

# Policy

## 1. Appointment of authorised doctors

### Key points

An AMHS administrator may, by instrument in writing, appoint a doctor as an authorised doctor.

- A ‘doctor’ is a person registered under the Health Practitioner Regulation National Law to practice as a medical practitioner, other than as a student.

The administrator **must** be satisfied that the doctor:

- is registered under the Health Practitioner Regulation National Law, and
- has the necessary competencies, as outlined in this Policy, to be an authorised doctor.

An authorised doctor who is a psychiatrist is an authorised psychiatrist. If the AMHS administrator is a psychiatrist, the administrator is an authorised psychiatrist.

- A ‘psychiatrist’ is a person registered under the Health Practitioner Regulation National Law to practice in the medical profession:
  - as a specialist registrant in the specialty of psychiatry or
  - who is able to practice psychiatry as another type of registrant prescribed by regulation.

The required competencies are:

- a) substantial clinical expertise in the examination and assessment of persons suspected of having a mental illness and the treatment and care of persons with a diagnosed mental illness, and
- b) substantial knowledge of the Act and the Chief Psychiatrist’s Policies as they relate to the functions of an authorised doctor, including in the following areas:
  - the objects and principles of the Act, and
  - examinations and recommendations for assessment, including the treatment criteria and the less restrictive way of treatment, and assessments and the making of treatment authorities, and
  - the treatment and care of persons on treatment authorities, forensic orders and treatment support orders, and
  - classified patients, and
  - mechanical restraint, seclusion and physical restraint, and
  - psychiatrist reports for persons charged with an offence, and
  - the rights of patients and support persons, and
  - the role of the Mental Health Review Tribunal, and
  - searches and transporting patients.

At a minimum, competencies must be demonstrated through satisfactory completion of the Act eLearning modules for authorised doctors (including private and limited practice). The Act eLearning refresher course requires completion every two years (biennially) to maintain competency. Verification will be by the provision of a Certificate of Completion of the eLearning modules.

## 1.1. Authorised doctor (private)

Authorised doctors who only practice in the private sector, may be appointed as an authorised doctor (private).

This appointment requires the successful completion of the assessment in ten (10) identified eLearning modules (see Attachment 4).

- The limited eLearning module course does not prevent an authorised doctor who only practices in the private sector from completing the full suite of eLearning modules.

It is essential that doctors who are appointed as an authorised doctor (private) only perform functions under the Act for which they are appointed.

## 1.2. Authorised doctor (limited practice)

In some circumstances, public sector doctors may be appointed as authorised doctors for a more limited range of functions. This may apply for the following categories of doctors:

- resident medical officers (junior house officers and senior house officers only), or
- emergency department doctors in services where an authorised doctor may not be readily available, or
- doctors in rural and remote locations.

Where justified by service delivery benefits, such doctors may be appointed as an authorised doctor (limited practice).

This appointment requires the successful completion of assessments in eight (8) identified eLearning modules (see Attachment 4).

- The availability of this limited practice eLearning module course does not prevent a doctor from completing the full suite of eLearning modules.

It is essential that doctors who are appointed as an authorised doctor (limited practice) only perform functions under the Act for which they are appointed.

An administrator may further limit the functions and powers of an authorised doctor (limited practice) when appointing the authorised doctor (see Example Instrument of Appointment - Authorised doctors (Attachment 3)).

For resident medical officers (junior house officers and senior house officers), these arrangements do not affect the supervised practice requirements set by the Medical Board of Australia. Supervision arrangements must be based on levels and conditions of appointment.

## 2. Appointment of AMHP

### Key points

An AMHS administrator may, by instrument in writing, appoint a health practitioner as an AMHP.

- A 'health practitioner' is a person registered under the Health Practitioner Regulation National Law, or another person who provides health services, including, for example, a social worker.

The administrator **must** be satisfied that the health practitioner has the competencies, as outlined in this policy, necessary to be an AMHP.

The required competencies are:

- a) substantial clinical expertise in the examination and assessment of persons suspected of having a mental illness, and knowledge of the treatment and care of persons with a diagnosed mental illness, and
- b) substantial knowledge of the Act and the Chief Psychiatrist's Policies as they relate to the functions of an AMHP, including in the following areas:
  - the objects and principles of the Act
  - examinations and recommendations for assessment, including the treatment criteria and the less restrictive way of treatment
  - classified patients
  - mechanical restraint, seclusion and physical restraint
  - the rights of patients and support persons, and
  - searches and transporting patients.

At a minimum, competencies must be demonstrated through satisfactory completion of the Act eLearning modules for AMHP's with the Act eLearning refresher course to be completed every two years to maintain competency.

Verification will be by the provision of a Certificate of Completion of the eLearning modules.

## 2.1. Limited Practice

Where a person does not meet one or more of the competencies in full, a limited or conditional appointment may apply.

- For example, if the health practitioner does not complete the eLearning modules in full, the appointment will be limited to functions of an AMHP relevant to the eLearning modules that have been completed.

## 3. Conditions on appointment

### Key points

In appointing an authorised doctor or AMHP, the administrator may:

- limit the powers that may be exercised by the appointed person, or
- establish conditions under which powers may be exercised by the person.

A condition or limitation may be stated in the person's instrument of appointment, or by way of signed notice given to the person.

All appointments as an authorised doctor or AMHP must be:

- for a specified term or subject to the person's ongoing employment in the AMHS at which they are appointed, and
- conditional upon the authorised doctor or AMHP exercising powers in accordance with the AMHS clinical governance and clinical review process (e.g. Assessment and Risk Management Committee).

The person's appointment as an authorised doctor or AMHP is on the condition that the person continues to have the competencies necessary to be an authorised doctor or AMHP. Completion of the Act eLearning refresher course every two years is required to demonstrate continuation of competency.

The powers of an authorised doctor or AMHP are not limited to patients of the AMHS at which they are appointed. An authorised doctor or AMHP may exercise their powers in relation to a patient of any Queensland AMHS.

- In exercising their powers under the Act, authorised doctors and AMHPs must also have regard to employment requirements in other services, including credentialing and scope of clinical practice.

## 4. Ending an appointment

### Key points

The Act sets out when an authorised doctor or AMHP's appointment ends including circumstances where:

- the authorised doctor ceases to be a doctor or the AMHP ceases to be a health practitioner of the type that was the basis for the person's appointment, or
- the appointment is for a stated term and the term ends, or
- the appointment is subject to a condition that is no longer satisfied (e.g. the appointment is conditional on the person being an employee of the AMHS and the employment ceases), or
- the Chief Psychiatrist is satisfied the person is unable to perform the functions of office and gives written notice to the person stating that the person stops holding office from a specified date, or
- the appointed person resigns by written notice given to the administrator of the AMHS who appointed the person.

In addition, the administrator who appointed the person may revoke the instrument of appointment (Section 24AA, [Acts Interpretation Act 1954](#)).

## 5. Process and documentation requirements

AMHS administrators are responsible for ensuring an accountable system for the appointment of authorised doctors and AMHPs.

The AMHS administrator **must** keep a register of persons holding office as an authorised doctor, AMHP or health practitioner appointed under section 341 to perform certain functions.

- The register of appointments is to be maintained in the Consumer Integrated Mental Health and Addiction (CIMHA) application.

The administrator **must** also maintain a system of records relating to appointments, amendments to appointment conditions and terminations of appointment, including copies of written instruments of appointment and any verifying documentation.

The administrator **must** undertake an annual review of the register of appointments in CIMHA, to ensure the register is up to date.

## Key points

The administrator must have local policies or procedures in place for the appointment of authorised doctors and AMHPs at the AMHS, including:

- the process for appointment, i.e. how an appointment application is initiated (e.g. by way of application by the prospective appointee, on the recommendation of the team leader/clinical director), assessed to ensure competencies are met (e.g. verification by team leader/clinical director), and determined, and
- accountabilities for ongoing oversight of statutory functions exercised by appointees and ensuring competencies continue to be satisfied.

## 6. Instruments of appointment

The instrument of appointment **must**:

- state the name of the person appointed,
- the powers of the appointee (i.e. whether the appointment provides for all powers of an authorised doctor or AMHP), and
- any conditions of appointment including the term and/or circumstances under which the appointment ends.

Example instruments of appointment can be found in attachment 2 and 3.

## 7. Identity Cards

AMHS administrators are required to issue an identity card for authorised doctors and AMHPs.

The card **must**:

- contain a recent photograph of the person, and
- identify the statutory position to which they are appointed, and
- state an expiry date for the card.

The expiry date on the card is intended to ensure recency of the appointee's photograph. The time frame for the ID cards validity may be aligned with local Hospital and Health Service or private sector facility protocols for identity cards (e.g. 5 years).

An authorised doctor or AMHP **must**:

- produce or display their identity card when exercising their functions.
- return the card to the administrator within **twenty-one (21) days** of the office ending.

The administrator should institute local processes to ensure the timely return of identity cards.

The legislative requirements for the issuing of an identity card may be met by identifying the statutory appointment on an existing health service employee identification card or by establishing a distinct card for the statutory appointment.

## 8. Further information

### 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.
AMHP	Authorised Mental Health Practitioner
Doctor	A 'doctor' is a person registered under the Health Practitioner Regulation National Law to practice as a medical practitioner, other than as a student.
Health Practitioner	A person registered under the Health Practitioner Regulation National Law, or another person who provides health services, including, for example, a social worker.
Psychiatrist	A person registered under the Health Practitioner Regulation National Law to practice in the medical profession: <ul style="list-style-type: none"><li>• as a specialist registrant in the specialty of psychiatry, or</li><li>• who is able to practice psychiatry as another type of registrant prescribed by regulation.</li></ul>

### Referenced policies and resources

#### Legislation

- [Mental Health Act 2016](#)
- [Acts Interpretation Act 1954](#)

#### Referenced documents and sources

[National practice standards for the mental health workforce \(2013\)](#)

## Document status summary

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Assessment of compatibility with the Human Rights Act 2019 completed on:	18 October 2019
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## Attachment 1: Example AMHS Procedures for Appointment of Authorised doctors and Authorised Mental Health Practitioners

### Procedure for Appointment of Authorised Mental Health Practitioners XXXX Authorised Mental Health Service

#### Purpose

This procedure sets out the processes for appointment of Authorised Mental Health Practitioners (AMHPs) at the XXXX Authorised Mental Health Service (AMHS).

#### Context

Legislative requirements for the appointment of AMHPs are set out in Chapter 11 Part 4 of the *Mental Health Act 2016*.

The Chief Psychiatrist Policy on Appointment of Authorised doctors and AMHPs is mandatory for all AMHSs and for all AMHS staff and requires the AMHS administrator to document processes and requirements for the appointment of these practitioners.

#### Procedure

##### Appointment of authorised mental health practitioners

1. AMHPs will be appointed by the [position title e.g. Executive Director, Mental Health Service, XXXX HHS] as administrator for the XXXX AMHS. (NB: The administrator's powers, including appointment of AMHPs, may be exercised by a person temporarily acting in the position that is appointed to be the AMHS administrator.)
2. Applications for appointment are to be made using the Application for appointment as AMHP template at Attachment A.
3. All components of the *Mental Health Act 2016* eLearning modules relevant to the functions of an AMHP **must** be completed. Verification of the health practitioner's satisfactory completion of the eLearning modules **must** be provided with the recommendation. The eLearning refresher course requires completion every two years.
4. Applications are to be reviewed by the relevant Team Leader or Nurse Unit Manager prior to submission to the administrator. The Team Leader/Nurse Unit Manager is accountable for verifying that the applicant satisfies the competencies for appointment.
5. On appointment, the administrator will provide the appointee with the *Instrument of appointment*. A copy of the *Instrument of appointment* is to be retained on the appointee's human resource file.
6. The administrator will notify the [position title e.g. Mental Health Act Administration Officer] of all appointments for registering in the Consumer Integrated Mental Health and Addiction (CIMHA) application.

7. Team Leaders and Nurse Unit Managers are accountable for ongoing oversight of the statutory functions exercised by appointees to ensure compliance with legislative, policy and operational requirements.

**Team Leaders and Nurse Unit Managers must advise the administrator in writing in circumstances where the Team Leader/Nurse Unit Manager believes the appointee ceases to meet the appointment requirements or is no longer required to undertake the functions, powers and duties of an AMHP.**

#### **Cessation of appointment of authorised mental health practitioners**

1. The circumstances in which an AMHP appointment ceases are set out in the Act and the *Instrument of appointment*.
2. Revocations of appointment by the administrator will be in writing and will be provided to the appointee.
3. With the exception of appointments that cease at the end of a specified term, a written record of the date of, and reasons for, the cessation of appointment is to be retained on the person's human resource file (e.g. written advice from appointee that a condition of appointment is no longer satisfied or the person's resignation from office).
4. The [position title e.g. Mental Health Act Administration Officer] is responsible for ending the practitioner's appointment status in CIMHA:
  - At the end of a specified term of appointment (unless a further appointment has been made by the administrator)
  - on the administrator's advice that the person has ceased to be an AMHP.

#### **Review of register of appointments**

1. The [position title e.g. Mental Health Act Administration Officer] will undertake a review of persons registered as AMHP's at the XXXX AMHS in March of each calendar year.
2. The [position title] will liaise with Team Leaders and Nurse Unit Managers as required to ensure the register is accurate and up to date (e.g. to ensure that there have been no oversights in removing individuals from the register on termination of employment with the Mental Health Service).

#### **Resources**

- [Mental Health Act 2016](#)
- *Chief Psychiatrist Policy: Appointment of Authorised doctors and Authorised Mental Health Practitioners*
- [Queensland Centre for Mental Health Learning eLearning Courses](#)

## Application for appointment as Authorised Mental Health Practitioner XXXX Authorised Mental Health Service

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### Part A – To be completed by applicant

Name: \_\_\_\_\_

Position title: \_\_\_\_\_

Team/Unit: \_\_\_\_\_

- I am a 'health practitioner' as defined under the *Mental Health Act 2016*

Profession: \_\_\_\_\_

AHPRA registration number: \_\_\_\_\_ and registration expiry date

\_\_\_\_\_

(Not required for social workers)

- I have \_\_\_ years clinical experience in mental health service delivery
- I have attached the Proof of Completion for the *Mental Health Act 2016* authorised mental health practitioner training.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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### Part B – To be completed by line manager

Name: \_\_\_\_\_

Position title: \_\_\_\_\_

Team/Unit: \_\_\_\_\_

- I have been the applicant's line manager since \_\_\_\_\_
- I am able / unable to verify that the applicant has the competencies required for appointment as an authorised mental health practitioner. Specifically:
- the applicant has / has not demonstrated substantial clinical expertise in the examination and assessment of persons suspected of having a mental illness, Chief Psychiatrist Policy – Appointment of authorised doctors and

authorised mental health practitioners and knowledge of the treatment and care of persons with a diagnosed mental illness

- the applicant has / has not demonstrated substantial knowledge of the *Mental Health Act 2016* and Chief Psychiatrist policies relevant to the powers, functions and responsibilities of an authorised mental health practitioner.

Additional comments:

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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## Part C – To be completed by Administrator

Name: \_\_\_\_\_

The applicant's appointment as an authorised mental health practitioner is approved / not approved

*Additional comments (including any specific limitations and conditions to be included in the instrument of appointment):*

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Procedure for Appointment of Authorised doctors XXXX Authorised Mental Health Service

### Purpose

This procedure sets out the processes for appointment of authorised doctors at the XXXX Authorised Mental Health Service (AMHS).

### Context

Legislative requirements for the appointment of authorised doctors are set out in Chapter 11 Part 4 of the *Mental Health Act 2016*. The Chief Psychiatrist Policy on Appointment of Authorised doctors and Authorised Mental Health Practitioners (AMHP) is mandatory for all AMHS and requires the AMHS administrator to document processes and requirements for appointment of authorised doctors.

### Procedure

#### Appointment of authorised doctors

1. Authorised doctors will be appointed by the [position title e.g. Executive Director, Mental Health Service, XXXX HHS] as administrator for the XXXX AMHS.

(NB: The administrator's powers, including appointment of authorised doctors, can be exercised by a person temporarily acting in the position that is appointed to be the AMHS administrator.)

2. Recommendations for appointment are to be made by the Clinical Director or a Consultant Psychiatrist using the *Recommendation for authorised doctor appointment* template at Attachment A.
3. The Clinical Director/Consultant Psychiatrist is accountable for verifying that the doctor satisfies the competencies for appointment and, where relevant, recommending any conditions or limitations for the appointment.
4. Verification of the doctor's satisfactory completion of the *Mental Health Act 2016* eLearning modules **must** be provided with the recommendation. The eLearning refresher course requires completion every two years.
5. If a doctor does not complete the eLearning modules in full, the appointment will be limited i.e. the appointment will be limited to authorised doctor functions relevant to the eLearning modules that have been completed.
6. The [position title] is responsible for confirming the doctor's registration under the Health Practitioner Regulation National Law and, where relevant, that the registration meets the statutory definition for 'psychiatrist'.
7. On appointment, the administrator will provide the appointee with the *Instrument of appointment*. A copy of the *Instrument of appointment* is to be retained on the appointee's human resource file.

8. The administrator will notify the [position title e.g. Mental Health Act Administration Officer] of all appointments for registering in the Consumer Integrated Mental Health and Addiction (CIMHA) application.
9. The Clinical Director/Consultant Psychiatrist is accountable for ongoing oversight of the statutory functions exercised by appointees to ensure compliance with legislative, policy and operational requirements.

The Clinical Director/Consultant Psychiatrist **must** advise the administrator in writing in circumstances where the Clinical Director/Consultant Psychiatrist believes the practitioner ceases to meet the appointment requirements.

### **Cessation of appointment of authorised doctors**

1. The circumstances in which an authorised doctor appointment ceases are set out in the Act and the Instrument of appointment.
2. Revocations of appointment by the administrator will be in writing and will be provided to the appointee.
3. With the exception of appointments that cease at the end of a specified term, a written record of the date of, and reasons for, the cessation of appointment is to be retained on the person's human resource file (e.g. written advice from appointee that a condition of appointment is no longer satisfied or the person's resignation from office, revocation of appointment by the administrator).
4. The [position title e.g. Mental Health Act Administration Officer] is responsible for ending the practitioner's appointment status in CIMHA:-
  - at the end of a specified term of appointment (unless a further appointment has been made by the administrator)
  - on the administrator's advice that the person has ceased to be an authorised doctor.

### **Review of register of appointments**

1. The [position title e.g. Mental Health Act Administration Officer] will undertake a review of persons registered as authorised doctors at the XXXX AMHS in March of each calendar year.
2. The [position title] will liaise with Team Leaders and Nurse Unit managers as required to ensure the register is accurate and up to date (e.g. to ensure that there have been no oversights in removing individuals from the register on termination of employment with the Mental Health Service).

### **Resources**

- [Mental Health Act 2016](#)
- *Chief Psychiatrist Policy: Appointment of Authorised doctors and Authorised Mental Health Practitioners*
- [Queensland Centre for Mental Health Learning eLearning Courses](#)

## Recommendation for Authorised doctor appointment XXXX Authorised Mental Health Service

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### Part A – Recommendation by Clinical Director or Consultant Psychiatrist

I recommend that \_\_\_\_\_ be appointed as an authorised doctor and confirm that the competencies required for appointment are satisfied. Specifically, I believe the nominee has demonstrated:

- substantial clinical expertise in the examination and assessment of persons suspected of having a mental illness and the treatment and care of persons with a diagnosed mental illness, and
  - substantial knowledge of the *Mental Health Act 2016* and Chief Psychiatrist policies relevant to the powers, functions and responsibilities of an authorised doctor.
- A copy of the Proof of Completion for the *Mental Health Act 2016* authorised doctor training is attached or
- Mental Health Act 2016* competency requirements have previously been verified at another Authorised Mental Health Service.

In addition, I recommend that the appointment be subject to the following conditions or limitations:

(Strike out if not applicable)

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Designation: Clinical Director / Consultant Psychiatrist

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## Part B – Verification of medical practitioner registration details

AHPRA registration number: \_\_\_\_\_ and registration expiry date  
\_\_\_\_\_

For psychiatrists: The Registration Type is in accordance with the statutory definition of psychiatrist; specifically:

- Specialist (Psychiatry)
- (Categories to be specified on making of Regulation)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

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## Part C – Administrator decision

The applicant's appointment as an authorised doctor is approved / not approved

*Additional comments (including any specific conditions and limitations to be included in Instrument of appointment):*

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

## Attachment 2: Example Instrument of Appointment – Authorised doctors

### **Mental Health Act 2016 INSTRUMENT OF APPOINTMENT**

#### **For full appointment (i.e. all authorised doctor powers and functions) insert:**

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016* (Act), pursuant to Chapter 11, Part 4, Division 1, section 338 of that Act, hereby appoint **Full name of doctor** as an authorised doctor to exercise all of the powers, functions and duties of an authorised doctor under the Act.

#### **OR for limited appointment insert:**

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016* (Act), pursuant to Chapter 11, Part 4, Division 1, section 338 of that Act, hereby appoint **Full name of doctor** as an authorised doctor to exercise those powers, functions and duties set out in the Schedule. (Note: remove relevant functions from Schedule. For example, for appointment of an authorised doctor (private), delete sections 3 (Forensic orders), 4 (Treatment support orders) and 5 (Classified patients) from the Schedule).

#### **If the doctor meets the statutory definition for ‘psychiatrist’ insert:**

In addition, pursuant to the definition of ‘authorised psychiatrist’ in Schedule 3 of the Act, the appointee is authorised to exercise all of the powers, functions and duties of an authorised psychiatrist set out in the Act.

#### **For all appointments insert:**

This appointment is effective from the date of this Instrument.

#### **OR if the appointment is to take effect on a date after the signing:**

This appointment is effective from **Date**.

#### **For all appointments insert:**

This appointment is subject to the following conditions:

1. In exercising the powers of an authorised doctor, the appointee is subject to the **Title** Authorised Mental Health Service clinical governance processes including, but not limited to, clinical accountability structures, clinical supervision and clinical review processes.
2. The appointment is effective until **Date of cessation** unless, at a sooner time:

- a. the appointee ceases to be person registered under the Health Practitioner Regulation National Law to practice in the medical profession
- b. the appointment is revoked by the Administrator
- c. the Chief Psychiatrist gives written notice that the appointee stops holding the office of authorised doctor
- d. the appointee resigns from the position by written notice given to the Administrator, or
- e. the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.

## OR

The appointment is effective for the duration of the appointee's employment at the **Title** Authorised Mental Health Service unless, at a sooner time:

- a. the appointee ceases to be person registered under the Health Practitioner Regulation National Law to practice in the medical profession
- b. the appointment is revoked by the Administrator
- c. the Chief Psychiatrist gives written notice that the appointee stops holding the office of authorised doctor
- d. the appointee resigns from the position by written notice given to the Administrator, or
- e. the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.

(Note: Insert any other conditions if required).

**Signed by:**

**Name of Administrator**

**Administrator, Title Authorised Mental Health Service**

**Date**

## Functions and Powers of Authorised doctors

Function or Power	Act Reference
<b>1. Examinations, Assessments and making of Treatment Authorities</b>	
Examining persons under an examination authority	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 2, Div. 2 (Powers under examination authorities)</li> </ul>
Examining persons under an examination order made by a magistrate and preparing an examination report	<ul style="list-style-type: none"> <li>Chapt. 6, Pt. 2, Div. 3 (Examination orders)</li> </ul>
Making recommendations for assessment	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 2, Div. 3 (Detention of particular persons to make recommendation for assessment)</li> <li>Chapt. 2, Pt., Div. 4 (Recommendations for assessment)</li> </ul>
Assessing a person under a recommendation for assessment to decide whether to make a treatment authority	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 3 (Assessments)</li> </ul>
Making treatment authorities	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 4 (Treatment authorities), except sections 56 to 58</li> </ul>
Reviewing the making of treatment authorities – authorised psychiatrist only	<ul style="list-style-type: none"> <li>Sections 56 to 58</li> </ul>
<b>2. Treatment authorities</b>	
Managing patients subject to treatment authorities <ul style="list-style-type: none"> <li>Responsibility for treatment and care</li> <li>Categories</li> <li>Limited community treatment</li> <li>Conditions</li> </ul>	<ul style="list-style-type: none"> <li>Chapt. 7, Pt. 2 (Responsibility to provide treatment and care)</li> <li>Chapt. 7, Pt.3 (Patients subject to treatment authorities)</li> </ul>

	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt.7 (Obligations in relation to treatment in the community)</li> </ul>
<b>3. Forensic orders</b>	
<p>Managing patients subject to forensic orders</p> <ul style="list-style-type: none"> <li>• Responsibility for treatment and care</li> <li>• Categories</li> <li>• Limited community treatment</li> <li>• Conditions</li> <li>• Temporary absences</li> </ul>	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt. 2 (Responsibility to provide treatment and care)</li> <li>• Chapt. 7, Pt.4 (Patients subject to forensic orders)</li> <li>• Chapt. 7, Pt.7 (Obligations in relation to treatment in the community)</li> </ul>
<b>4. Treatment support orders</b>	
<p>Managing patients subject to treatment support orders</p> <ul style="list-style-type: none"> <li>• Responsibility for treatment and care</li> <li>• Categories</li> <li>• Limited community treatment</li> <li>• Conditions</li> <li>• Temporary absences</li> </ul>	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt. 2 (Responsibility to provide treatment and care)</li> <li>• Chapt. 7, Pt.5 (Patients subject to treatment support orders)</li> <li>• Chapt. 7, Pt.7 (Obligations in relation to treatment in the community)</li> </ul>
<b>5. Classified patients</b>	
<p>Managing the transfer of persons to an AMHS as a classified patient, including making transfer recommendations</p>	<ul style="list-style-type: none"> <li>• Chapt. 3, Pt. 2 (Transport of persons in custody to authorised mental health services)</li> <li>• Chapt. 3, Pt.3 (Persons in custody remaining in authorised mental health services)</li> <li>• Chapt. 3, Pt. 4 (Requirements applying</li> </ul>

	when person in custody becomes classified patient)
<p>Managing classified patients</p> <ul style="list-style-type: none"> <li>• Responsibility for treatment and care</li> <li>• Limited community treatment</li> <li>• Temporary absences</li> </ul>	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt. 2 (Responsibility to provide treatment and care)</li> <li>• Chapt. 7, Pt.6 (Classified patients and patients subject to judicial orders)</li> <li>• Section 221</li> </ul>
Managing the return of classified patients to custody or the release of classified patients	Chapt. 3, Pt.5 (Return to custody, or release from detention in authorised mental health service, of classified patient)
<b>6. Judicial order patients</b>	
<p>Managing judicial order patients</p> <ul style="list-style-type: none"> <li>• Limited community treatment</li> <li>• Temporary absences</li> </ul>	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt.6 (Classified patients and patients subject to judicial orders)</li> <li>• Section 221</li> </ul>
<b>7. Mechanical restraint</b>	
Authorising the mechanical restraint of patients in an AMHS	Chapt. 8, Pt. 2 (Mechanical restraint)
<b>8. Seclusion</b>	
Authorising the seclusion of patients in an AMHS	Chapt. 8, Pt. 3 (Seclusion)
<b>9. Physical restraint</b>	
Authorising the physical restraint of patients in an AMHS	Section 270
<b>10. Regulated treatments</b>	
Performing ECT on a patient in an AMHS	<ul style="list-style-type: none"> <li>• Chapt. 7, Pt. 10, Div. 2 (Informed consent)</li> </ul>

	<ul style="list-style-type: none"> <li>Chapt. 7, Pt. 10, Div. 3 (Electroconvulsive therapy)</li> </ul>
Performing non-ablative neurosurgery on a patient in an AMHS	<ul style="list-style-type: none"> <li>Chapt. 7, Pt. 10, Div. 2 (Informed consent)</li> <li>Chapt. 7, Pt. 10, Div. 4 (Non-ablative neurosurgical procedures)</li> </ul>
<b>11. Psychiatrist reports</b>	
Preparing psychiatrist reports for serious offences – authorised psychiatrists only	Chapt. 4 (Psychiatrist reports for serious offences)
<b>12. Mental Health Review Tribunal</b>	
Preparing reports for Tribunal hearings	Section 723
<b>13. Examinations</b>	
Examine a person under a court examination order made by the Mental Health Court	Ch.16, Pt.1, Div.8 (Court examination orders)
Examine a person under an order of Mental Health Review Tribunal	Section 721
<b>14. Searches</b>	
Carry out searches for harmful things	Chapt. 11, Pt. 7, Div. 3 (Searches of patients of authorised mental health services or public sector health service facilities)
<b>15. Transport of patients</b>	
Managing the transport of patients <ul style="list-style-type: none"> <li>authorising transport</li> <li>authorised person</li> </ul>	Chapt. 11, Pt, 6 (Transport of persons)

## Attachment 3: Example Instrument of Appointment – Authorised Mental Health Practitioners

### **Mental Health Act 2016 INSTRUMENT OF APPOINTMENT**

#### **For full appointment (i.e. all authorised mental health practitioner powers and functions) insert:**

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016*, pursuant to Chapter 11, Part 4, Division 1, section 340 of that Act, hereby appoint **Full name of health practitioner**, a health practitioner, namely **Profession**, as an AMHP to exercise all of the powers, functions and duties of an AMHP under the Act.

#### **OR for limited appointment insert:**

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016*, pursuant to Chapter 11, Part 4, Division 1, section 340 of that Act, hereby appoint **Full name of health practitioner**, a health practitioner, namely **Profession**, as an AMHP to exercise all of the powers, functions and duties set out in the Schedule.

(Note: Remove relevant functions from Schedule).

#### **For all appointments insert:**

This appointment is effective from the date of this Instrument.

#### **OR if the appointment is to take effect on a date after the signing:**

This appointment is effective from **Date**.

#### **For all appointments insert:**

This appointment is subject to the following conditions:

1. In exercising the powers of an AMHP, the appointee is subject to the **Title** Authorised Mental Health Service clinical governance processes including, but not limited to, clinical accountability structures, clinical supervision and clinical review processes.
2. The appointment is effective until **Date of cessation** unless, at a sooner time:
  - a) the appointee ceases to be a health practitioner of the type that is the basis for this appointment namely, **Profession**
  - b) the appointment is revoked by the Administrator

- c) the Chief Psychiatrist gives written notice that the appointee stops holding the office of AMHP
- d) the appointee resigns from the position by written notice given to the Administrator, or
- e) the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.

## OR

The appointment is effective for the duration of the appointee's employment at the **Title** Authorised Mental Health Service unless, at a sooner time:

- a) the appointee ceases to be a health practitioner of the type that is the basis for this appointment namely, **Profession**
- b) the appointment is revoked by the Administrator.
- c) the Chief Psychiatrist gives written notice that the appointee stops holding the office of AMHP
- d) the appointee resigns from the position by written notice given to the Administrator, or
- e) the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.

(Note: Insert any other conditions if required).

**Signed by:**

**Name of Administrator**

**Administrator, **Title** Authorised Mental Health Service**

**Date**

## Functions and Powers of Authorised Mental Health Practitioners

Function or Power	Act Reference
<b>1. Examinations and Assessments</b>	
Examining persons under an examination authority	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 2, Div. 2 (Powers under examination authorities)</li> </ul>
Examination orders – extension of examination period	<ul style="list-style-type: none"> <li>Chapt. 6, Pt. 2, Div. 3 (Examination orders)</li> </ul>
Making recommendations for assessment	<ul style="list-style-type: none"> <li>Chapt. 2, Pt. 2, Div. 3 (Detention of particular persons to make recommendation for assessment)</li> <li>Chapt. 2, Pt. 2, Div. 4 (Recommendations for assessment)</li> </ul>
<b>2. Classified patients</b>	
Managing the transfer of persons to an AMHS as a classified patient, including making transfer recommendations	<ul style="list-style-type: none"> <li>Chapt. 3, Pt. 2 (Transport of persons in custody to authorised mental health services)</li> <li>Chapt. 3, Pt.3 (Persons in custody remaining in authorised mental health services)</li> <li>Chapt. 3, Pt. 4 (Requirements applying when person in custody becomes classified patient)</li> </ul>
<b>3. Mechanical restraint</b>	

Use of mechanical restraint of patients in an AMHS	Chapt. 8, Pt. 2 (Mechanical restraint)
<b>4. Seclusion</b>	
Use of seclusion of patients in an AMHS	Chapt. 8, Pt. 3 (Seclusion)
<b>5. Searches</b>	
Carry out searches for harmful things	Chapt. 11, Pt. 7, Div. 3 (Searches of patients of authorised mental health services or public sector health service facilities)
<b>6. Transport of patients</b>	
Managing the transport of patients <ul style="list-style-type: none"> <li>• authorising transport</li> <li>• authorised person</li> </ul>	Chapt. 11, Pt, 6 (Transport of persons)

## Attachment 4: MHA2016 eLearning Course – Modules for Authorised doctors and Authorised Mental Health Practitioners (AMHPs)

<b>Module</b>	<b>Authorised doctors</b>	<b>AMHPs</b>	<b>Authorised doctors (Private)</b>	<b>Authorised doctors (Limited practice)</b>
1. Objects and Principles of Act	X	X	X	X
2. Treatment Criteria and Less Restrictive way of Treatment (pre-requisite for modules 3 & 4)	X	X	X	X
3. Examinations and recommendations for assessment (includes examination authorities & examination orders)	X	X	X	X
4. Assessments and Treatment Authorities	X		X	X
5. Persons on forensic orders	X			
6. Persons on treatment support orders	X			
7. Classified patients	X	X		
8. Restrictive Practices	X	X	X	X
9. Psychiatrist Reports	X		X	
10. Patient Rights and Confidentiality	X	X	X	X
11. Mental Health Review Tribunal	X		X	
12. Searches	X	X	X	X
13. Powers of Authorised Persons (Transport)	X	X	X	X