

Supporting documents:

Key document

- **Statement of Rights**
your rights under the *Mental Health Act 2016*

Guides

- **Guide to patient rights**
- **Advance health directive for mental health**
guide and advance health directive form
- **Nominated support persons**
guide and appointment form

Factsheets

- Patient rights
- Role of nominated support persons
- Rights of family, carers and other support persons
- Advance health directives and less restrictive way of treatment

Brochures

- Advance health directives
- Your rights

To view these documents or for more information, visit:

www.health.qld.gov.au/mental-health-act

Mental Health Act 2016

Support persons



Role of support persons

The *Mental Health Act 2016* recognises the importance of family, carers and other support persons.

The role of support persons includes:

- contacting you while you are receiving treatment and care
- participating in decisions about your treatment and care
- receiving timely and accurate information about your treatment, care and recovery
- arranging support services for you, including counselling and community care.

Nominated support persons

You can appoint one or two persons to be your nominated support person to assist you if you become unwell and become an involuntary patient under the *Mental Health Act 2016*.

A nominated support person:

- must receive all notices that must be given to you under the Act
- may discuss confidential information about your treatment and care with your treating team
- may support you, or represent you, at hearings of the Mental Health Review Tribunal
- may request a psychiatrist report if you were to be charged with a serious offence.

You can appoint a nominated support person in the *Nominated support persons—guide and appointment form*, which is available from a mental health service or the *Mental Health Act 2016* website.

Right to information

The Act requires doctors to discuss and explain key matters with support persons, unless:

- you do not want this to happen (and you have the capacity to decide at the time)
- your support person is not reasonably available
- the communication may be detrimental to your health and well-being.

A doctor can also discuss confidential information with your support persons if it is for your care and treatment or if the person has sufficient interest in your health and welfare.

Statement of Rights

The *Statement of Rights* outlines the rights of patients and support persons under the *Mental Health Act 2016*. It is important for support persons to understand these rights.

You can ask any staff member of a mental health service for a copy of the *Statement of Rights*.

Other rights

Support persons:

- have a general right to visit patients
- have a general right to communicate with patients
- may request a second opinion on behalf of a patient.

Where can I get help if I want to know more about support persons' rights?

You can get more information from:

- an Independent Patient Rights Adviser in a public mental health service
- a staff member of a mental health service
- the *Mental Health Act 2016* website.