
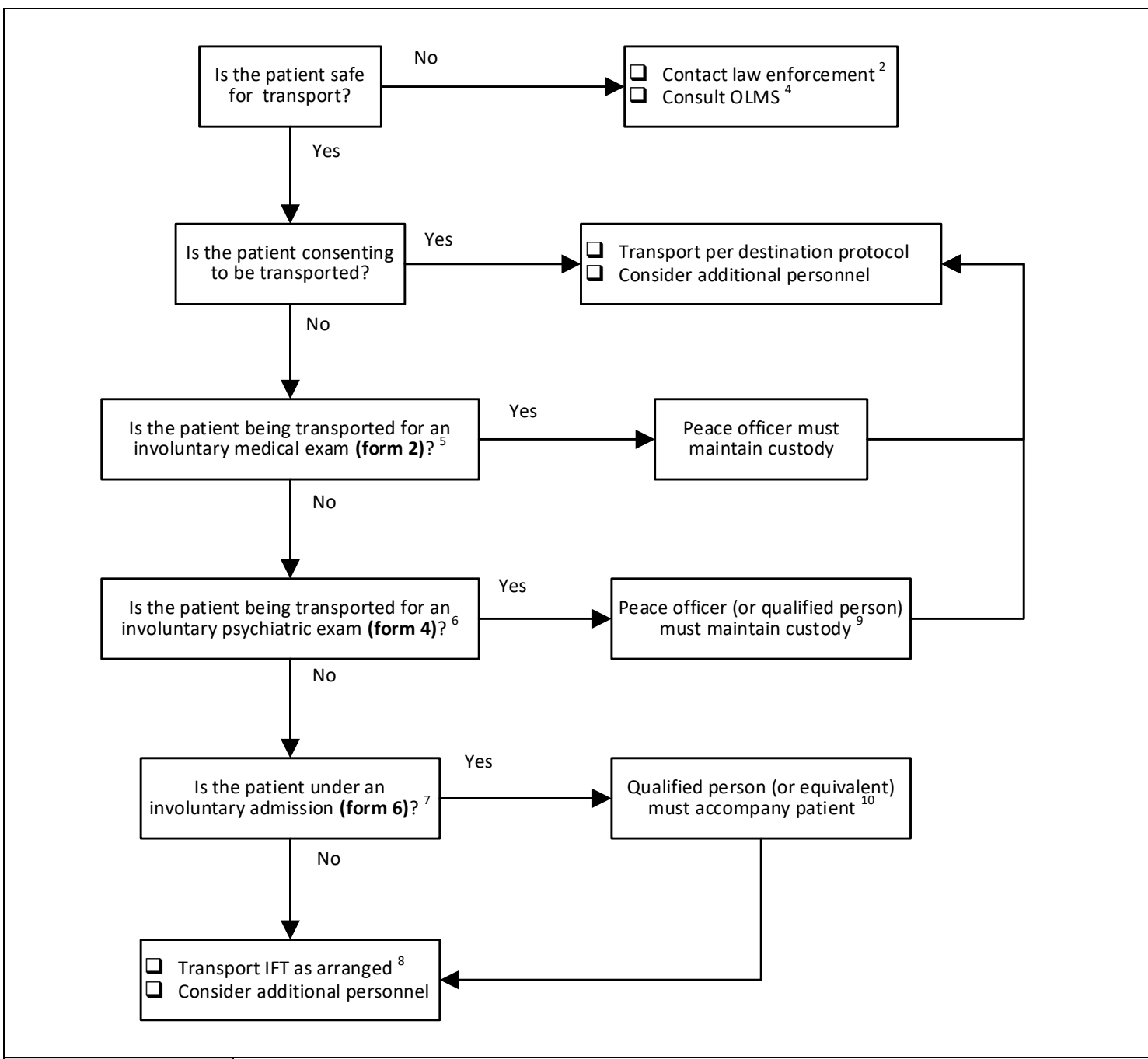


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|--|---|-----------------------------------|--|--|
|  | <b>A04 - TRANSPORTING UNDER THE MENTAL HEALTH ACT (MHA)</b> |                                   |  |  |
|  | POLICY & PROCEDURE  |                                   |  |  |
| Version date: 2023-10-20   |   | Effective date: 2024-02-13 (0700) |  |  |



|                    |                      |                       |                      |                      |
|--------------------|----------------------|-----------------------|----------------------|----------------------|
| <b>IDENTIFIER:</b> | <b>EMR:</b> EMR only | <b>PCP:</b> PCP & ICP | <b>ICP:</b> ICP only | None - All providers |
|--------------------|----------------------|-----------------------|----------------------|----------------------|

### INDICATIONS:

- Patient with a known or suspected mental health condition <sup>1</sup>
- Patient under the Mental Health Act on a form 2, 4, or 6

### CONTRAINDICATIONS

- Not applicable

### NOTES

1. For the purposes of this care map, symptoms or signs of a mental health condition include:
  - Suicide attempt, ideation, or expressions of intent
  - Homicidal ideation or expression of intent
  - Depressed or anxious mood
  - Hallucinations
2. Paramedics must not endanger themselves at any time. Contact law enforcement if there are any indications from the patient's speech or behaviour (or from collateral history) that transporting would create a risk to the patient, provider, or public.
3. The Mental Health Act (MHA) is the legislation for the involuntary detention (custody), transport, assessment, and admission of a person who lacks the mental capacity to provide informed consent by reason of a mental disorder.
4. Except for urgent situations paramedics must consult on-line medical support (OLMS) before administering sedation to a patient under the MHA.
5. An *Order for Involuntary Medical Examination* (form 2) signed by a magistrate gives a peace officer the legal authority to detain and transport (or request transport by EMS) of an individual without their consent. If a peace officer reasonably believes that an individual is suffering from a mental disorder and the situation is urgent, the MHA grants the same authority without an order.
6. An *Application by Physician for Involuntary Psychiatric Examination* (form 4) signed by a physician gives a peace officer the legal authority to detain and transport (or request transport) of an individual without their consent.
7. An *Involuntary Admission Certificate* (form 6) signed by a psychiatrist gives the medical director of a psychiatric service or facility the legal authority to admit a patient to a mental health facility without their consent.
8. Note that a patient who is in custody or being admitted without consenting does not give up their right to consent to or refuse medical treatment.  
  
Paramedics can transport the patient without consent, but must follow ERS – Provincial EMS/PT consent policies and practices (including the principle of implied consent in an emergency) for all medical interventions during the interfacility transfer (IFT) of a patient under the MHA.
9. A peace officer may transfer custody to a *qualified person* (as defined by the MHA) while they are awaiting assessment or admission.

10. Certain health care providers such as nurses and aides may be considered *equivalent* to a qualified person by virtue of their role within the health care facility.

Currently paramedics are not considered qualified persons or equivalent under the MHA.

11. A paramedic may consult on-line medical support (OLMS) at any time.

#### LINKS & REFERENCES

- A05 - TREATMENT & TRANSPORT REFUSAL
- H05 - PRINCIPLES OF CONSENT

#### APPROVED BY



EMS Medical Director



EMS Associate Medical Director

#### VERSION CHANGES (refer to X01 for change tracking)

- Identifier legend at bottom of flow chart replaces work scope statement in header