

RECOMMENDATION

(BY A REGISTERED MEDICAL PRACTITIONER)
FOR INVOLUNTARY ADMISSION OF AN ADULT
(TO AN APPROVED CENTRE)

FORM 5

MENTAL HEALTH
ACT 2001
(as amended)
SECTION 10

PAGE 1 OF 2

BLOCK CAPITALS (Before completing this form please read the notes overleaf)
In accordance with Part 2 of the Mental Health Act 2001 (as amended)

I, _____ (Full Name of Registered Medical Practitioner)

**1. Professional Address
of Registered
Medical Practitioner**

**2. Medical Practitioner
Registration Number**

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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I am the person's general medical practitioner

Yes No

**3. Full Name and Home
Address of PERSON
the subject of the
recommendation**

recommend that

**4. Date of Birth OR Age
(if Date of Birth not known)**

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Age: _____

Gender

M F

**5. Name and address of
Approved Centre**

be admitted to

6. Date:

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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(24 hour clock e.g. 2.41p.m. is written as 14.41)

Time:

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Which was within 24 hours of receipt of the application for involuntary admission which was made on

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by;

(Name of Applicant)

7. In my opinion this person is suffering from a mental disorder where-

(a) because of the illness, disability or dementia, there is a serious likelihood of the person concerned causing immediate and serious harm to himself or herself or to other persons,

OR

(b) (i) because of the severity of the illness, disability or dementia, the judgement of the person concerned is so impaired that failure to admit the person to an approved centre would be likely to lead to a serious deterioration in his or her condition or would prevent the administration of appropriate treatment that could be given only by such admission,

AND

(ii) the reception, detention and treatment of the person concerned in an approved centre would be likely to benefit or alleviate the condition of that person to a material extent.

OR

(a) (as above) and (b) (as above)

8. Give clinical description of the person's mental condition

My opinion above is based on the following grounds

I have informed the above named person of the purpose of the examination;

Yes No

Where "No" is indicated I _____ (name) confirm that such information has been withheld because the provision of such information would be prejudicial to the person's mental health or well-being or emotional condition.

I am not a person disqualified for making a recommendation (see Section 10 (3) replicated overleaf)

Signed:

(Registered Medical Practitioner)

Date:

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Time:

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The notes are for guidance only and do not constitute an exact statement of the provisions of the Mental Health Act 2001 (as amended).

The Mental Health Act 2001 (as amended) does not define "Adult". "Child" means a person under the age of 18 years other than a person who is or has been married. Adult means any person who is not included in the definition of a "Child" in the Act.

The Health Act 2004 dissolves Health Boards. References to Health Boards in the Mental Health Act 2001 (as amended) are to be read as references to the Health Service Executive.

SECTIONS OF THE MENTAL HEALTH ACT 2001

3. - (1) In this Act "mental disorder" means mental illness, severe dementia or significant intellectual disability where -
- (a) because of the illness, disability or dementia, there is a serious likelihood of the person concerned causing immediate and serious harm to himself or herself or to other persons, or
 - (b) (i) because of the severity of the illness, disability or dementia, the judgment of the person concerned is so impaired that failure to admit the person to an approved centre would be likely to lead to a serious deterioration in his or her condition or would prevent the administration of appropriate treatment that could be given only by such admission, and
 - (ii) the reception, detention and treatment of the person concerned in an approved centre would be likely to benefit or alleviate the condition of that person to a material extent.
- (2) In *subsection (1)* - "mental illness" means a state of mind of a person which affects the person's thinking, perceiving, emotion or judgment and which seriously impairs the mental function of the person to the extent that he or she requires care or medical treatment in his or her own interest or in the interest of other persons;
- "severe dementia" means a deterioration of the brain of a person which significantly impairs the intellectual function of the person thereby affecting thought, comprehension and memory and which includes severe psychiatric or behavioural symptoms such as physical aggression;
- "significant intellectual disability" means a state of arrested or incomplete development of mind of a person which includes significant impairment of intelligence and social functioning and abnormally aggressive or seriously irresponsible conduct on the part of the person.
- 4 - (1) In making a decision under this Act concerning the care or treatment of a person (including a decision to make an admission order in relation to a person), the best interests of the person shall be the principal consideration with due regard being given to the interests of other persons who may be at risk of serious harm if the decision is not made.
- (2) Where it is proposed to make a recommendation or an admission order in respect of a person, or to administer treatment to a person, under this Act, the person shall, so far as is reasonably practicable, be notified of the proposal and be entitled to make representations in relation to it and before deciding the matter due consideration shall be given to any representations duly made under this subsection.
- (3) In making a decision under this Act concerning the care or treatment of a person (including a decision to make an admission order in relation to a person) due regard shall be given to the need to respect the right of the person to dignity, bodily integrity, privacy and autonomy.
8. - (1) A person may be involuntarily admitted to an approved centre pursuant to an application under *section 9* or *12* and detained there on the grounds that he or she is suffering from a mental disorder.
- (2) Nothing in *subsection (1)* shall be construed as authorising the involuntary admission of a person to an approved centre by reason only of the fact that the person -
- (a) is suffering from a personality disorder,
 - (b) is socially deviant, or
 - (c) is addicted to drugs or intoxicants.
- (3) The Commission shall, from time to time, issue guidelines for staff in approved centres in relation to the provisions of this section.
10. - (1) Where a registered medical practitioner is satisfied following an examination of the person the subject of the application that the person is suffering from a mental disorder, he or she shall make a recommendation (in this Act referred to as "a recommendation") in a form specified by the Commission that the person be involuntarily admitted to an approved centre (other than the Central Mental Hospital) specified by him or her in the recommendation.
- (2) An examination of the person the subject of an application shall be carried out within 24 hours of the receipt of the application and the registered medical practitioner concerned shall inform the person of the purpose of the examination unless in his or her view the provision of such information might be prejudicial to the person's mental health, well-being or emotional condition.
- (3) A registered medical practitioner shall, for the purposes of this section, be disqualified for making a recommendation in relation to a person the subject of an application—
- (a) if he or she has an interest in the payments (if any) to be made in respect of the care of the person in the approved centre concerned,
 - (b) if he or she is a member of the staff of the approved centre to which the person is to be admitted,
 - (c) if he or she is a spouse, a civil partner or a relative of the person, or
 - (d) if he or she is the applicant.
- (4) A recommendation under *subsection (1)* shall be sent by the registered medical practitioner concerned to the clinical director of the approved centre concerned and a copy of the recommendation shall be given to the applicant concerned.
- (5) A recommendation under this section shall remain in force for a period of 7 days from the date of its making and shall then expire.