

COVID-19 – Approved Centres Regulatory Notice

Mental Health Commission & Inspector of Mental Health Services

Wednesday, 25 March 2020

The Commission appreciates that service providers and staff are facing unprecedented challenges. To that end we have endeavoured to simplify the process for monitoring compliance with the Mental Health Act. This notice updates information on the Mental Health Commission's regulatory response to COVID-19, including changes to procedures.

The Mental Health Commission are continuing to monitor the evolving COVID-19 situation. Our priority remains the safety and wellbeing of people using mental health services. In light of Government announcements, we have reviewed our regulatory processes. To date, we have issued Registered Proprietors with two communications in relation to changes to our inspection and notification practices, letters of March 12 and March 20 respectively.

The Commission is conscious of the urgent need to prioritise resources around safe and appropriate patient care. This memorandum outlines a comprehensive list of changes which we are implementing with immediate effect.

COVID-19 Notifications

1. NEW: Details of approved centre plans to prevent and manage COVID-19 cases.

Following queries in relation to the COVID-19 notification forms which were circulated on Friday 20 March 2020 and consultation with HSE operations team we have revised the notification form.

As such, each approved centre will need to fill in and submit the attached updated form **once**. Approved centres **are not** be required to inform the Commission of each case of COVID-19.

We are seeking assurance that contingency plans have been put in place. We would also ask that the service identifies a nominated individual who can be contacted for updates in relation to the number of suspected and confirmed cases in the approved centre if necessary

2. NEW: Application for change in approved centre bed capacity or temporary closure due to COVID-19.

The notification relating to changes in bed capacity circulated on Friday 20 March 2020 remains unchanged.

Both forms are [attached](#) alongside this memorandum.

Inspection practices

As per our communication of March 12, all routine inspections of approved centres have been suspended until further notice. We will cease publishing inspection reports. We will continue to provide updates to the Registered Proprietor and the public, as required.

If you are a service who had been requested to complete a self-assessment for an announced inspection, we will be in contact with you directly in relation to instructions for same. Please note that announced inspections have also been cancelled until further notice.

In relation to any completed 2020 inspections, we will continue to complete the comment and review process, however, the timeframes for completion will be determined and agreed with the Registered Proprietor.

The Inspector of Mental Health Services will be taking the current situation into account when the routine inspection of approved centres recommences. We note that services are required to continue to comply with the Mental Health Act 2001, Regulations and Rules. However, we understand that in the current situation services may need to apply a risk based approach to the implementation of standards relating to quality (e.g. the quality requirements of the Judgement Support Framework).

Compliance practices

We will continue to finalise Corrective and Preventative Action (CAPA) plans for 2019 inspections with Approved Centres. We have suspended seeking CAPA plans for any completed 2020 inspections. In addition, we have suspended the requirement for services to provide updates on the implementation of 2019 CAPA plans.

Enforcement Actions

In relation to open enforcement actions, we are reviewing each Approved Centre individually and will continue to follow up on areas of critical risk. Where new areas of risk are identified, we will review each risk on its own merit and follow act where the risk is classified as critical.

Condition Monitoring

We are in the process of reviewing the Conditions and will be in contact with services on an individual basis in relation to ongoing requirements.

Notifications

As per our communication of March 20, services are required to continue to submit Quality and Safety Notifications (QSN) to the Commission, as per the table in the Appendix II to this memorandum. The Commission will continue to review and risk rate the information contained in these notifications and follow up with services, as required.

Registration

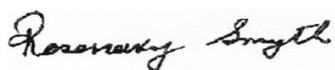
We will continue to implement our registration processes in order to ensure that the Register of Approved Centres remains up to date. You are required to continue to make your application for renewal of registration in line with current guidance on our website. We will assess and make decisions in this regard without the requirement for an inspection where the Commission deems appropriate. The Register of Approved Centres is available for inspection on the Commissions website as required by the Act.

We understand that the situation regarding COVID-19 is constantly evolving and that Ireland's acute mental health services are facing unrivalled challenges. This is a new and unprecedented situation for us all.

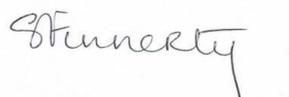
We would encourage you to stay in touch with us. Please contact us if there are specific concerns and issues that you would like to make us aware of. We have provided a list of contact details in Appendix I. We will continue to provide updates to Registered Proprietors and the public, as required.

We wish you and all approved centre residents, patients and staff well during these challenging times.

Yours sincerely,



Ms Rosemary Smyth
Director of Standards and Quality Assurance



Dr Susan Finnerty
Inspector of Mental Health Services

Appendix: Table of Standard Quality and Safety Notification Requirements

Notification Type	Service Type	Timeframe
Child Notifications		
Admission and discharge of a child to a child or adolescent unit	CAMHS approved centres ¹	Within 72 hours
Admission and discharge of a child from an adult unit	Adult approved centres ¹	Within 72 hours
Death Notifications		
Death of a resident	All approved centres	Within 48 hours
Sudden and unexplained death of a service user	All mental health services	Within 7 days
Incident Reporting and SRE Notifications		
Summary of incidents	All approved centres	6 monthly
Serious Reportable Event involving a resident	All approved centres	Within 48 hours
Serious Reportable Event involving a service user	All mental health services	Within 7 days
Overcapacity		
Overcapacity notification	All approved centres	Within 48 hours
Operational Bed Capacity		
Change in Operational Bed Capacity	All approved centres	2 weeks prior to planned works
ECT Notifications*		
Annual report of all uses of ECT	All approved centres	Annually
Uses of ECT where resident was unable to consent [Form 16]	All approved centres	Within 7 days
Restrictive Practices		
Seclusion of a resident over 72 hours	All approved centres	Within 7 days
Seclusion of a resident seven orders in seven days	All approved centres	Within 7 days
Annual report of all uses of Seclusion	All approved centres	Annually
Annual report of all uses of Mechanical Restraint	All approved centres	Annually
Annual report of all uses of Physical Restraint	All approved centres	Annually

¹ Includes child units in any Approved Centre; CAMHS = Child and Adolescent Mental Health Service