

NOTICE OF PATIENT TRANSFER TO ANOTHER APPROVED CENTRE (OTHER THAN THE CENTRAL MENTAL HOSPITAL)

FORM 10

MENTAL HEALTH ACT 2001

SECTION 20, 21(1) (3)&(4)

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

1. Full Name of Patient being transferred

2. P.P.S. No.

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Gender M F

was involuntarily admitted to

3. Name and Address of Approved Centre to which patient was first admitted

Ward:	Centre Record No:

4. Date of Admission

on

		/			/				
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TRANSFER DETAILS

This patient is being transferred from

5. Approved Centre from which the patient is being transferred
(If other than Section 3 above)

6. Approved Centre to which the patient is being transferred

to

7. Date of transfer

		/			/				
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I am of the opinion that it would benefit the above named patient to be transferred for the following reasons

8. Give details of how this transfer will benefit the patient

Authorised by:

9. Full Name of Clinical Director
(and Professional Address if other than Section 3 above)

The Clinical Director of the approved centre to where the patient is being transferred has agreed to this transfer. I have given notice of this transfer to the patient and I will give notice to the Commission.

Signed: _____

(Clinical Director)

Date:

		/			/				
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Time:

		:		
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(24 hour clock e.g. 2.41p.m. is written as 14.41)

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

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

SECTIONS OF THE MENTAL HEALTH ACT 2001

- 20.—(1) Where a patient or the person who applied for a recommendation under which a patient is detained in an approved centre applies to the clinical director of the centre for a transfer of the patient to another approved centre, the clinical director may, if he or she so thinks fit, arrange for the transfer of the patient to the centre with the consent of the clinical director of the second-mentioned approved centre.
- (2) Where a patient is transferred to an approved centre under *subsection (1)*, the clinical director of the centre from which he or she has been transferred shall, as soon as may be, give notice in writing of the transfer to the Commission.
- (3) A patient may be detained in an approved centre to which he or she has been transferred under *subsection (1)* until the date of the expiration of the admission order pursuant to which he or she was detained in the centre from which he or she was transferred.
- (4) The detention of a patient in another approved centre under this section shall be deemed for the purposes of this Act to be detention in the centre from which he or she was transferred.
- (5) In this section references to an admission order include references to a renewal order.
- 21.—(1) Where the clinical director of an approved centre is of opinion that it would be for the benefit of a patient detained in that centre, or that it is necessary for the purpose of obtaining special treatment for such patient, that he or she should be transferred to another approved centre (other than the Central Mental Hospital), the clinical director may arrange for the transfer of the patient to the other centre with the consent of the clinical director of that centre.
- (2) (a) Where the clinical director of an approved centre—
- (i) is of opinion that it would be for the benefit of a patient detained in that centre, or that it is necessary for the purpose of obtaining special treatment for such a patient, to transfer him or her to the Central Mental Hospital, and
- (ii) proposes to do so, he or she shall notify the Commission in writing of the proposal and the Commission shall refer the proposal to a tribunal.
- (b) Where a proposal is referred to a tribunal under this section, the tribunal shall review the proposal as soon as may be but not later than 14 days thereafter and shall either—
- (i) if it is satisfied that it is in the best interest of the health of the patient concerned, authorise the transfer of the patient concerned, or
- (ii) if it is not so satisfied, refuse to authorise it.
- (c) The provisions of *sections 19 and 49* shall apply to the referral of a proposal to a tribunal under this section as they apply to the referral of an admission order to a tribunal under *section 17* with any necessary modifications.
- (d) Effect shall not be given to a decision to which *paragraph (b)* applies before—
- (i) the expiration of the time for the bringing of an appeal to the Circuit Court, or
- (ii) if such an appeal is brought, the determination or withdrawal thereof.
- (3) Where a patient is transferred to an approved centre under this section, the clinical director of the centre from which he or she has been transferred shall, as soon as may be, give notice in writing of the transfer to the Commission.
- (4) The detention of a patient in another approved centre under this section shall be deemed for the purposes of this Act to be detention in the centre from which he or she was transferred.
- (5) In this section references to an admission order include references to a renewal order.