
Mental health legal status

Important note: This is an archived metadata standard from the AIHW Knowledgebase. For current metadata standards and related information please access METeOR, the AIHW's Metadata Online Registry at <http://meteor.aihw.gov.au>

Identifying and Definitional Attributes

Data Dictionary: NHDD
Knowledgebase ID: 000092 Version number: 2
Metadata type: DATA ELEMENT
Registration Authority: NHIMG Admin status: SUPERSEDED
 Effective date: 30-JUN-98
Definition: An indication that a person was treated on an involuntary basis under the relevant State or Territory mental health legislation, at some point during the hospital stay.

Involuntary patients are persons who are detained under mental health legislation for the purpose of assessment or provision of appropriate treatment or care.

Context: Institutional mental health care: this data element is required to monitor trends in the use of compulsory treatment provisions under State and Territory mental health legislation by Australian hospitals. It will also assist in the development of an appropriate casemix classification for mental health services.

For those hospitals which provide psychiatric treatment to involuntary patients, mental health legal status information is an essential data element within local record systems. It both assists in patient management and is necessary for the hospital to meet statutory obligations designed to protect patient rights.

Relational and Representational Attributes

Datatype: Numeric
Representational form: CODE
Representation layout: N
Minimum Size: 1
Maximum Size: 1
Data Domain: 1 Person was an involuntary patient for all or part of the episode of care

2 Person was not an involuntary patient at any time during the episode of care

Guide For Use: Hospitals require approval under the State or Territory mental health legislation in order to detain patients for the provision of mental health care. Code 1 involuntary status should only be used by facilities which are approved for this purpose. While each State and Territory mental health legislation differs in the number of categories of involuntary patient that are recognised, and the specific titles and legal conditions applying to each type, the legal status categories which provide for compulsory detention of the patient can be readily differentiated within each jurisdiction. These include special categories for forensic patients who are charged with or convicted of some form of criminal activity.

Each State/Territory health authority should identify which sections of their mental health legislation provide for detention of the patient and code these as involuntary status.

The mental health legal status of admitted patients treated within approved hospitals may change many times throughout the episode of care. Patients may be admitted to hospital on an involuntary basis and subsequently be changed to voluntary status; some patients are admitted as voluntary but are transferred to involuntary status during the hospital stay. Multiple changes between voluntary and involuntary status may occur depending on the patient's clinical condition and his/her capacity to consent to treatment. A small number of patients remain as involuntary at discharge.

Coding of this item should be used simply to 'flag' whether, at some point during the episode of care, the patient was detained on an involuntary basis under the relevant State or Territory legislation, regardless of when this occurred or the duration of the involuntary period.

Related metadata: supersedes previous data element Legal status on admission version 1
supersedes previous data element Legal status on discharge version 1
has been superseded by Mental health legal status version 3

Administrative Attributes

Source Document:

Source Organisation: National Health Data Committee

Data Element Links

Information Model Entities linked to this Data Element

NHIM Legal characteristic

Data Agreements which include this Data Element

NMDS - Admitted patient care From 01-Jul-96 to 30-Jun-98

NMDS - Admitted patient mental health care From 01-Jul-97 to 30-Jun-98
