
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: 3
Metadata type: DATA ELEMENT
Registration Authority: NHIMG Admin status: SUPERSEDED
Effective date: 30-JUN-99

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 or treatment by a community based service.

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

Context: 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 and community health care facilities. It will also assist in the development of an appropriate casemix classification for mental health services.

For those hospitals and community mental health services which provide psychiatric treatment to involuntary patients, mental health legal status information is an essential data element within local record systems.

Relational and Representational Attributes

Datatype: Numeric
Representational form: CODE
Representation layout: N
Minimum Size: 1
Maximum Size: 1

Data Domain: 1 Involuntary patient
 2 Voluntary patient

Guide For Use: Approval is required under the State or Territory mental health legislation in order to detain patients for the provision of mental health care or for patients to be treated compulsorily in the community. 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 or compulsory treatment 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 or compulsory treatment 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 during an episode of care in hospital or treatment in the community may occur depending on the patient's clinical condition and his/her capacity to consent to treatment.

Collection Methods: 1 Admitted patients: to be collected if the patient is involuntary at any time during the hospital stay.

2 Non-admitted patients: the date of each change of mental health legal status to be collected, so that length of duration of voluntary or involuntary status can be derived. The derived item can be compared with both dates of contact and number of contacts, thus providing an assessment of mental health legal status in relation to service intensity.

Related metadata: supersedes previous data element Mental health legal status version 2
has been superseded by Mental health legal status version 4

