



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 episode of care.  
2 Patients in 24-hour staffed community-based residential services: to be collected if the patient is involuntary at any time during the stay in the residence.  
3 Non-admitted patients: to be collected if the patient is involuntary at any time during a specified collection period.

Related metadata: supersedes previous data element Mental health legal status version 3  
has been superseded by Mental health legal status version 5

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### *Administrative Attributes*

Source Document:

Source Organisation: National Health Data Committee

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