

Emergency Detention of Mental Health Patients S.Hearns August 2014

Link to Emergency Detention Certificate:- [Emergency Detention Certificate](#)

The duty ED consultant should be informed early as possible if there is the possibility of a patient being detained under the mental health act.

The on call psychiatry doctor should be contacted. The duty psychiatrist will ensure that an Approved Medical Practitioner (AMP) will contact the ED doctor as soon as possible.

Two options then exist:

1. The AMP attends the ED with a Mental Health Officer (MHO)
2. The ED doctor is instructed to proceed with an Emergency Detention Certificate (EDC), ideally with MHO consent.

Contacting a Mental Health Officer

In hours	Renfrewshire	0141 207 7878
	Inverclyde	01475 558000
Out of hours	All of GG&C	0141 305 6705

When necessary patients may be restrained or sedated by ED staff under the common law doctrine of necessity but only when no other alternative exists.

If the patient with a mental health emergency is violent or being forcibly restrained, the ED doctor should grant an EDC without AMP contact or MHO consent. The AMP and MHO must be contacted afterwards. The AMP must arrange for psychiatric assessment of the patient "as soon as is practicable."

The application criteria for Emergency Detention Certificate must include:

- A statement that the patient has a mental disorder, and that because of this the patient's ability to make decisions about the provision of medical treatment is significantly impaired
- A statement that it is a matter of urgency to detain the patient in hospital to determine what treatment is required.
- A statement that if the patient were not detained there would be significant risk to the patient or others.
- Granting a Short Term Detention Certificate would involve undesirable delay.
- Mental Health Officer consent or state why it was impracticable to get this.

Absconding patients

If a patient has been assessed by an ED doctor and then absconds it is possible for that doctor to issue an EDC without MHO consent. The ED doctor should then inform an AMP and the police. The police should be asked to return the patient to the ED (or psychiatric hospital) under the powers of the EDC. If the patient has been seen before 8pm the EDC must be issued before midnight. If they have been seen after 8pm it must be issued within 4 hours.

Emergency medical treatment

Patients who are subject to an Emergency Detention Certificate cannot be given medical treatment under that certificate. However, in a medical emergency a detained patient may be administered medical treatment without consent for the mental disorder under section 243 of the Act in order to:

- Save the patient's life
- Prevent serious deterioration in the patient's condition
- Alleviate serious suffering on the part of the patient
- Prevent the patient behaving violently and/or being a danger to themselves or others.

Following such treatment the administering doctor has a responsibility to inform the Mental Welfare Commission of their action within 7 days and to inform the patients Responsible Medical Officer.

In medical and psychiatric emergencies for any non detained patient, common law allows treatment to preserve life or function. No certification is needed beyond description of the action in the casefile.