

# Are you in hospital for a psychiatric assessment?

This pamphlet tells you:

- what a Form 1 is
- what happens when you are on a Form 1
- who can help you





## What is a Form 1?

A *Form 1* is a legal document that a doctor signs. If you are on a *Form 1*, you have to stay in a psychiatric hospital for up to 72 hours.



## When can a doctor sign a Form 1?

A doctor can sign a *Form 1* if he or she:

- has examined you in the past 7 days, and
- believes that you need to be in the hospital for a psychiatric assessment because of the reasons listed in the Mental Health Act.

A doctor can sign a *Form 1* at a psychiatric hospital or somewhere else, such as the doctor's office, your home, or a general hospital.



## What happens after a doctor signs a Form 1?

The law says that soon after a doctor signs a *Form 1*, you must be given a *Form 42*. This form tells you the reasons why the doctor who signed the *Form 1* believes you need to be in the hospital.

If you are not already at a psychiatric hospital, the *Form 1* gives anyone the right to take you there. For example, the police or your family could take you.

A doctor at the psychiatric hospital will assess you. After the assessment, one of the following things will happen:

- the doctor can let you leave the hospital,
- the doctor can let you stay in the hospital voluntarily, which means that you can choose to stay or to leave, or
- the doctor can put you on a *Form 3* before the *Form 1* runs out. This makes you an “involuntary patient” and you will have to stay in the hospital.



## What can I do to get out of the hospital?

The *Form 1* lets the doctor keep you in the hospital for no more than 72 hours.

When you are on a *Form 1*, you have the right to speak to a lawyer.

If you want to leave, you can ask the doctor to let you go. Or you can get someone else to ask

for you. This could be a friend, family member, patient advocate, or lawyer.

But if the doctor does not agree to let you leave, there is usually no way to appeal this.

You **can** appeal if a doctor uses a *Form 3* to keep you in the hospital longer. If this happens, ask [to speak to the Rights Adviser or Patient Advocate at the hospital](#) or [call a lawyer](#). There is information on page 5 to help you do this.



## **Who makes decisions about my treatment?**

Except in an emergency, doctors and hospital staff are not allowed to treat you without your consent. And they must give you the information you need to decide about the treatment.

But the doctor may think that you are not able to make decisions about being treated. If that happens, the doctor must ask someone else to decide for you. This person is called your substitute decision maker (SDM). Usually, this will be a member of your family.

If the doctor is going to ask someone else to decide about your treatment, the doctor must tell you.

You can appeal if the doctor thinks that you are not able to decide about your treatment. If you want to appeal, ask [to speak to the Rights Adviser or Patient Advocate at the hospital](#) or [call a lawyer](#). There is information on page 5 to help you do this.

The doctor and the hospital staff cannot start any treatment once you tell them that you are going to appeal. But if you do not start your appeal within 48 hours, they can start treatment.



## **Can I be forced to take medication?**

Except in an emergency, no one can give you any treatment, including medication, unless you or your substitute decision maker (SDM) agree.

But hospital staff can restrain you if they think this is the only way to stop you from hurting yourself or someone else. One way they can restrain you is by giving you medication.



## Where can I get more help or information?

You can contact the Psychiatric Patient Advocate Office at **1-800-578-2343** or **416-327-7000**. You can also visit their web site at <[www.ppao.gov.on.ca](http://www.ppao.gov.on.ca)>.

If you want to speak to a lawyer but cannot afford to hire one, you can contact a Legal Aid office. To find the office nearest you, you can look under “Legal Aid” in your phone book. You can also check Legal Aid Ontario’s web site at <[www.legalaid.on.ca](http://www.legalaid.on.ca)> or phone them:

- Toll-free outside Toronto ..... **1-800-668-8258**
- In Toronto..... **416-979-1446**
- Toll-free TTY..... **1-866-641-8867**
- TTY in Toronto ..... **416-598-8867**

The Rights Adviser or Patient Advocate at the hospital can also help you find a lawyer and apply for legal aid.

This publication contains general information. It is not a substitute for getting legal advice for your particular situation.

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