

**Mental Health and Wellbeing Act 2022
Sections 153 - 158**

**MHWA 103
Variation of Assessment Order**

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Mental Health Statewide UR Number

Local Patient Identifier

FAMILY NAME

GIVEN NAMES

DATE OF BIRTH

SEX

GENDER

Place patient identification label above

Instructions to complete this form

- This form must be completed by a Registered Medical Practitioner or an Authorised Mental Health Practitioner to vary the setting of a person's Assessment Order from an Inpatient Assessment Order to a Community Assessment Order (or vice versa).

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS) of person to be assessed

a patient of:

Designated Mental Health Service

1. I am:

- a Registered Medical Practitioner
- an Authorised Mental Health Practitioner

(please cross one option only)

2. The abovenamed person is subject to:

- an Inpatient Assessment Order
- a Community Assessment Order— that expires on:

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at:

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(please cross one option only)

date

time 24 hour

3. I have given proper consideration to the decision-making principles for treatment and interventions.

4. I am satisfied that assessment:

- can occur in the community and vary the person's **Inpatient Assessment Order** to a **Community Assessment Order**
- cannot occur in the community and vary the **Community Assessment Order** to an **Inpatient Assessment Order**

(please cross one option only)

5. The reasons for my decision are:

6. Date and time Assessment Order is varied:

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at:

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date

time 24 hour

Signature:

signature of practitioner

Date:

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Given Names:

Family Name:

Business Address:

Designation:

Telephone:



MHWA103

ROLLS AUSTRALIA 1300 600 192

JULY 2023

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MHWA 103

Next steps

After completing this form:

1. **tell** the person that the Assessment Order has been varied.
2. **give** the person a copy of this variation and the statement of rights—*Assessment Order*.
3. **explain** the purpose and effect of the variation.
4. **ensure** appropriate supports are provided to assist the person to understand this information.
5. **notify** the Authorised Psychiatrist of the relevant Designated Mental Health Service and give them a copy of this variation.
6. **arrange** for the person to be assessed in the community (Community Assessment Order) or taken to the responsible Designated Mental Health Service for assessment (Inpatient Assessment Order) as soon as practicable. Assessment **must** occur prior to the order expiring (see notes below).

Notes

This varied Assessment Order expires 24 hours after being made unless:

- the original order was varied from an Inpatient Assessment Order to a Community Assessment Order; AND
- the person had been received at the Designated Mental Health Service prior to being varied.

In that case, the varied assessment order expires 24 hours from the time the person was received at the Designated Mental Health Service.

An Inpatient Assessment Order is sufficient authority to transport the person to a Designated Mental Health Service and to detain the person in the service for assessment. Transport choices should be appropriate to the person's needs and their circumstances and should, so far as reasonably practicable, be health-led and use the least restrictive option possible.

If you need to vary the responsible Designated Mental Health Service, you must complete the *MHWA 123- transfer of compulsory patient form*.

Decision-making principles for treatment and interventions

When varying an Assessment Order, you **must give proper consideration** to these principles.

Title	Principle
Care and transition to less restrictive support	Compulsory assessment and treatment is to be provided with the aim of promoting the person's recovery and transitioning them to less restrictive treatment, care and support. To this end, a person who is subject to compulsory assessment or treatment is to receive comprehensive, compassionate, safe and high-quality mental health and wellbeing services.
Consequences of compulsory assessment and treatment and restrictive interventions principle	The use of compulsory assessment and treatment or restrictive interventions significantly limits a person's human rights and may cause possible harm including— (a) serious distress experienced by the person; and (b) the disruption of the relationships, living arrangements, education or employment of the person.
No therapeutic benefit to restrictive interventions principle	The use of restrictive interventions on a person offers no inherent therapeutic benefit to the person.
Balancing of harm principle	Compulsory assessment and treatment or restrictive interventions are not to be used unless the serious harm or deterioration to be prevented is likely to be more significant than the harm to the person that may result from their use.
Autonomy principle	The will and preferences of a person are to be given effect to the greatest extent possible in all decisions about assessment, treatment, recovery and support, including when those decisions relate to compulsory assessment and treatment.

Definitions

- **'Authorised Mental Health Practitioner'** means:
 - a) a person who is employed or engaged by a Designated Mental Health Service as a:
 - registered psychologist; or
 - registered nurse; or
 - social worker; or
 - registered occupational therapist; or
 - b) a member of a prescribed class of person.
- **'Registered Medical Practitioner'** means a person who is registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student).