

**Mental Health and Wellbeing Act 2022
Section 165**

**MHWA 104
Extension 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 an Authorised Psychiatrist or Delegate.
- An Assessment Order cannot be extended if it has already expired. An Inpatient Assessment Order expires at the earlier of 24 hours after the person is received at a Designated Mental Health Service or 72 hours after the order is made. A Community Assessment Order expires 24 hours after it is made.
- You must examine the person before extending the duration of the Assessment Order. You must take all reasonable steps to explain the purpose of the examination before starting the examination (see point 2).
- The maximum duration of an extension of an Assessment Order is 24 hours (see point 6).
- An Assessment Order cannot be extended more than twice (see point 7).

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS)

a patient of:

Designated Mental Health Service

1. The abovenamed person is subject to:

an Inpatient Assessment Order

a Community Assessment Order—that expires on:

(please cross one option only)

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date

at:

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time 24 hour

2. I have examined the person.

3. I am **not able** to determine whether all the compulsory treatment criteria in section 143 of the **Mental Health and Wellbeing Act 2022** as set out below apply to the person, and I need more time to make a decision:

a. the person has mental illness; and

b. because the person has mental illness, the person needs immediate treatment to prevent—

i. serious deterioration in the person's mental or physical health; or

ii. serious harm to the person or to another person; and

c. the immediate treatment will be provided to the person if the person is subject to a Temporary Treatment Order; and

d. there are no less restrictive means reasonably available to enable the person to receive the immediate treatment.

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

5. The reasons are: _____

6. I **extend** the person's Assessment Order by:

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hours (maximum of 24 hours).

7. This is the:

first extension

second extension.

(please cross one option only)

8. Date and time Assessment Order is extended:

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date

at:

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time 24 hour

Signature: _____

signature of Authorised Psychiatrist or Delegate

Date:

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Given Names:

Family Name:

Designation:

Extension of Assessment Order

MHWA 104



MHWA 104

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ROLLS AUSTRALIA 1300 000 192

JULY
2023

Original – medical record

Copy – patient

Next steps

As soon as practicable:

1. **tell** the person you have extended this Assessment Order.
2. **explain** the purpose and effect of the extension of the Assessment Order.
3. **give** the person and the relevant people listed below a copy of this form and the statement of rights—*Assessment Order*.
4. **notify** the following persons (as applicable) that the Assessment Order has been extended:
 - the person's nominated support person;
 - the person's parent if the person is under the age of 16 years;
 - a carer, if you are satisfied that the extension of the Assessment Order will directly affect the care relationship between the carer and the person;
 - the person's guardian;
 - the Secretary, Department of Families, Fairness and Housing if that Secretary has parental responsibility for the person under a Relevant Child Protection Order.
5. **ensure** appropriate supports are provided to assist the person/s to understand this information.
6. **attach** a copy of this form to the MHW 101 - Assessment Order.

Decision-making principles for treatment and interventions

When extending 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

- **'Mental Illness'** is a medical condition that is characterised by a significant disturbance of thought, mood, perception or memory.
- **'Relevant Child Protection Order'** means:
 - (a) a therapeutic treatment (placement) order;
 - (b) a family reunification order;
 - (c) a care by Secretary order;
 - (d) a long-term care order,each within the meaning of the *Children, Youth and Families Act 2005*.