

## **Information for Patients**

### **Who will attend the hearing?**

The Review Panel - A legal member, a medical member, and a community member from the Mental Health Review Board.

A Case Presenter is required to attend to provide reasoning why you were certified under the Mental Health Act. The Case Presenter is often your treating psychiatrist but there may also be a nurse, social worker, case manager or someone else who knows your medical history presenting.

A Legal Advocate - If you have a lawyer or advocate, they will also attend the hearing.

In some circumstances, there may be an interpreter, support person or witness in attendance.

### **What does the Review Panel decide?**

The review panel decides on whether you should remain certified under the Mental Health Act. At the end of the hearing, the Review Panel will inform you of the outcome of your application – either discharge from involuntary status or continued detention. The Review Panel will provide written reasons to you within 14 days which outline the Review Panel's decision.

### **Can I request Legal Representation?**

You can request free legal representation from the Mental Health Law Program [MHLP] on the application form. If you did this, then we have sent your request to MHLP. They will contact you to prepare for the hearing. If you need to reach MHLP, please contact 604-685-3425 or toll free 1-888-685-6222.

If you did not make the request on your application but wish to have MHLP represent you, please let your treatment team know or contact the Board as soon as possible at 604-660-2325.

You can also hire your own private lawyer or ask a friend, family member or someone you trust to assist.

### **How should I prepare for the hearing?**

The facility is required to provide you with any relevant documents and a room to view them.

Your treating physician will prepare a case note listing the reasons for your certification. This case note must be provided to the Review Panel and you or your advocate 24-hours prior to the hearing.

If you are having difficulties accessing your medical records or the case note, you can ask the Board for help.

### **Do I need to bring any documents to the hearing?**

No, but you may bring documents if you wish. If you have any documents that you would like the panel to consider at your hearing, bring them with you.

### **Can I have a witness attend?**

Yes. If they are unable to attend, they can provide a written letter.

**Can I have an interpreter assist me in the hearing?**

Contact the Board or notify your treatment team as soon as possible if you need an interpreter.

**Where does the hearing take place?**

Currently hearings are being held virtually via video conference (Zoom) or teleconference due to the pandemic. The Board is hoping to transition back to in-person hearings when it is safe to do so.

If you are receiving treatment in the community, please speak with your case manager to decide if you will connect from home or from their office. If you are connecting from home with your own device, please test your ability to access Zoom before the hearing. If you are not able to connect with your own device, please contact your case manager to arrange connecting from their office.

**How long is a hearing?**

Generally, the hearing takes 2 to 3 hours. If you need a break during the hearing, please let the Panel know.

**What happens if I do not show up for the hearing?**

If you do not show up to the hearing, it will be cancelled. You will not be able to apply until your next certification period unless you can provide a good reason for not attending.

**Can I withdraw or postpone my hearing?**

Yes. If you would like to withdraw or postpone, make sure you tell the Board as soon as possible by telephone or in writing. If you have an advocate or lawyer, make sure to discuss this with them. They can notify the Board on your behalf.

If you decide to postpone within two days of the hearing, please contact the Mental Health Review Board. 604-660-2325. If approved, the hearing will be rescheduled.

**When do I find out the hearing decision?**

Generally, the panel will issue the decision verbally before you leave the hearing. This decision is effective immediately. If the panel determines you should no longer be certified, you may leave the facility or choose to stay as a voluntary patient.

The panel's written reasons must be provided to you within 14 days of your hearing date.

**Need more information?** Contact our office at:

Telephone: 604-660-2325 or Toll Free: 1-833-660-2425

Email: [MHRBScheduling@gov.bc.ca](mailto:MHRBScheduling@gov.bc.ca) / Website: [www.bcmhrb.ca](http://www.bcmhrb.ca)