

Referrals to Public Trustee Office for Consent for Psychiatric Treatment

pursuant to the *Involuntary Psychiatric Treatment Act* and the *Hospitals Act*

Has your client been admitted to hospital or will be the client be receiving treatment under a community treatment order?

Except in an emergency, the patient should not receive treatment without consent (Hospitals Act). This includes any non-emergency treatment provided in a psychiatric hospital (or designated psychiatric section of a hospital), such as diagnostic tests, general inpatient care, medications, and electroconvulsive therapy. It also includes psychiatric treatment in the community under a community treatment order.

Yes

Is this client capable to give consent for this treatment?

Yes

Seek informed consent from client. No referral to the Public Trustee is needed.

Capacity is decision specific. While some clients may be able to make all treatment decisions, others may only be capable to make some decisions, and some clients may not be capable to make any decisions at all.

No

Is there a:
delegate named in a Personal Directive?
court-appointed guardian?
medical proxy?
relative?

Yes

Seek informed consent from the appropriate substitute decision maker (SDM).

The Health Care Decisions Division has a Substitute Decision Maker Identification form on our website to help you work through and document your efforts to identify the appropriate SDM.

No

The Public Trustee is SDM of last resort. Complete a referral under the IPTA for consent for the specific psychiatric treatment. Include a Form A – Declaration of Capacity to Consent to Treatment (Hospitals Act) and send the completed forms to the Health Care Decisions Division along with any chart notes, reports or doctor's orders that are relevant to the proposed treatment plan.

Forms and information can be found on our web-site at www.gov.ns.ca/just/pto. If you have questions or need assistance, contact our office by Phone (902) 424-4454 Fax (902) 428-2159 or by email at PublicTrusteeHCD@gov.ns.ca