



Your Rights Under the Mental Health Act - Community Treatment Order (CTO)

If you are a patient receiving treatment and care under a community treatment order (CTO), the Mental Health Patient Advocate and staff understand that it may be a difficult and confusing time. We are here to help you understand your rights and resolve your concerns. Remember, you are not alone.

A CTO under the *Mental Health Act* is a tool to assist you in complying with treatment and care while living in your community. The purpose of the CTO is to provide you with enough support and supervision that you can follow your treatment and care plan as outlined in the CTO. The treatment and care plan is tailored to your specific needs and may include requirements such as: taking medication; attending appointments with, accepting telephone contact or home visits from, or receiving treatment and care from providers or the provider's designate.

As someone subject to a CTO under the *Mental Health Act*, you have many rights.

Below is a list of a few of these rights.

Rights Regarding the Issuance, Amendment, Renewal, Expiry or Cancellation of a CTO

YOU or your substitute decision maker HAVE THE RIGHT to either provide consent or refuse to provide consent to a CTO. In limited circumstances consent is not necessary where the physicians issuing the CTO believe that:

- the person has exhibited a history of not obtaining or continuing with community treatment or care that is necessary to prevent the likelihood of harm to others; and
- a CTO is reasonable and would be less restrictive than retaining the person as a formal patient.

YOU HAVE THE RIGHT to be able to comply with the treatment or care set out in the CTO.

YOU HAVE THE RIGHT when the CTO is issued, amended or renewed to receive a written statement of the reason and authority of the CTO, information about the Review Panel, and your right to apply to the Review Panel for cancellation of the CTO. In the event of a language difficulty, YOU HAVE THE RIGHT to be provided with an interpreter by the Board of designate and provided with the information and the written statement in the language spoken by the patient or the patient's guardian.

YOU HAVE THE RIGHT to receive a copy of your CTO which includes information such as the treatment and care requirements, the name of the person who is responsible for supervising the CTO, and any reporting requirements.

YOU HAVE THE RIGHT to withdraw consent to the CTO or request amendments or changes to your CTO if you believe that another treatment plan may be better for you.

YOU HAVE THE RIGHT to receive written notice, along with any treatment recommendations, when your CTO expires or is cancelled.

Rights Regarding Treatment

YOU HAVE THE RIGHT to receive the treatment and care outlined in the CTO.

YOU HAVE THE RIGHT to agree to any treatment before it is provided regardless of whether the CTO was issued with your consent or without your consent. Under a CTO, treatment cannot be forced on you, within certain limits.

Rights Regarding Non-Compliance with the CTO

YOU HAVE THE RIGHT to receive reasonable assistance from your psychiatrist or supervising physician to comply with your CTO.

YOU HAVE THE RIGHT, in the event that you do not follow the CTO treatment and care requirements, to have reasonable efforts made to inform you: that you did not comply with the CTO; the need for compliance; the consequences of non-compliance (an order for apprehension and examination may be issued by a psychiatrist or designated physician if you continue to fail to comply with the CTO); and the possible consequences of the examination.

Rights Regarding the Review Panel

YOU HAVE THE RIGHT to apply to the Review Panel to have your CTO cancelled. The Panel may or may not cancel the CTO.

YOU HAVE THE RIGHT for an automatic review by the Review Panel at the time of the first renewal of the CTO and every second renewal thereafter until the CTO expires or is cancelled, or if there has been an application for review within the month preceding any of those renewals.

YOU HAVE THE RIGHT to be present along with your lawyer when evidence is given at the Review Panel hearing (unless the Review Panel is concerned information given to the person who is subject to the CTO may seriously endanger the safety of another person), and to question any person who gives evidence at the hearing.

YOU HAVE THE RIGHT to appeal any decision of the Review Panel to the Court of Queen's Bench.

General Rights

YOU HAVE THE RIGHT to arrange to have a lawyer assist you at the Review Panel hearing and at the Court of Queen's Bench.

YOU HAVE THE RIGHT to contact and receive visits from your lawyer at any time should you be taken to a facility for examination due to non-compliance with the CTO.

YOU HAVE THE RIGHT to confidentiality of all your health information unless the *Health Information Act* allows for the release of health information under certain conditions without your consent.

YOU HAVE THE RIGHT to contact the **Mental Health Patient Advocate** at 780.422.1812 or toll free through the Government Rite line at 310.0000 regarding any questions or concerns that you may have with respect to your rights, detention, treatment and/or care while under a CTO.