

# Mental Health Act, 2013 (Tasmania)

## Sections focused on Carers

This information sheet is designed to support health professionals navigate carer specific information from the Mental Health Act, 2013 (Tasmania). [Click here to download the entire Mental Health Act, 2013 for Tasmania.](#) Information included below are direct quotes from the Mental Health Act and include page numbers where you can find further information. The information was sourced via the Private Mental Health Consumer Carer Network (Australia) Limited.

### Identifying representatives of patients

- (1) "Where this Act requires a notice or other document to be given to a representative or support person of a patient, it means that the document is to be given to someone who is, to the knowledge of the person who has to comply with the requirement, such a representative or support person.
- (2) For the purposes of subsection (1), the requisite standard of knowledge is knowledge that is already to hand or readily discoverable on reasonable inquiry, not knowledge that might only be discoverable after arduous or prolonged inquiry" (Part 2.10).

### Mental health service delivery principles

- (h) "to recognise the difficulty, importance and value of the role played by families, and support persons, of persons with mental illness;
- (k) to involve persons receiving services, and where appropriate their families and support persons, in decision-making;
- (l) to recognise families, and support persons, of persons with mental illness as partners, with mental health service providers, in the provision of their treatment and care to the extent that this is appropriate and consistent with their own wishes;
- (m) to respect the wishes of persons receiving services, and the wishes of their families and support persons, to the maximum extent consistent with the health and safety of those persons and the safety of others" (Schedule 1).

### Preparation of treatment plan

- (1) A patient's treatment plan may be prepared by any medical practitioner involved in the patient's treatment or care.
- (2) In preparing a treatment plan, a medical practitioner –
- (a) is to consult the patient; and
  - (b) may, after consulting the patient, consult such other persons as the medical practitioner thinks fit in the circumstances" (Division 3, part 53).
- (3) "In varying a treatment plan, a medical practitioner –
- (a) is to consult the patient; and
  - (b) may, after consulting the patient, consult such other persons as the medical practitioner thinks fit in the circumstances " (Division 3, part 54).



