

CTO

COMMUNITY TREATMENT ORDERS



Case managers attendance is no longer required for Mental Health Review Panel (MHRP) hearings. However, the attendance of a case manager can be requested by the client (as a support person) or the psychiatrist (as a witness). If the case manager is attending the hearing as a witness, they must be providing information that the psychiatrist is unable to provide. The MHRP is encouraging case managers to provide a written statement that the psychiatrist can use to offer additional information during the hearing. The CTO office will be updating the CTO Hearing Booking Request Form to reflect these changes.



The CTO program has completed Connect Care training. We have started to upload and flag CTOs for clinics already on Connect Care. The CTO program will continue to upload and flag all CTOs for all programs.



CTO UPDATES

Calgary Zone CTOs

663 Active CTOs
40-50 new referrals/month
33 programs managing CTOs
ACT managing 63 CTOS
PACT-CTO managing 25 CTOs
CET managing 40 CTOS

Virtual CTO Education and Connection

Sessions are being offered on the last Thursday of every month, with two options at 10:00am or 2:00pm. If anyone requires a calendar invite for these sessions, please email Calgaryzone.CTO@albertahealthservices.ca

MHRP CONTACT

Review Panel Hearing Office address and NEW phone number:
PO Box 38167 Country Hills, Calgary, AB T3K 5G9,
Phone: 403-993-2820
Fax: 1-844-360-7980.

Form 12 Process

1. Clinic/Department sends the Form 12 to the MHRP office.
2. Clinic/Department sends a copy of the Form 12 and a Hearing Booking Request Form to the CTO office, to schedule a hearing.



7.3 Competency, Consent to a CTO and Consent to Treatment

Mental competency and capacity are often a complicated issue and is common question related to CTOs. In fact, MHRP hearings have been adjourned to address competency/capacity.

Section 26 of the Act states that "a person is mentally competent to make treatment decisions if the person is able to understand the subject-matter relating to the decisions and able to appreciate the consequences of making the decisions". A person's competence should be assessed by a physician to determine whether they are able to consent to the CTO. As a general rule, the person named in the CTO or their SDM must consent to the CTO being issued. If they are not competent, this fact, as well as any reasoning for the conclusion regarding capacity, must be documented in the health

record. <https://www.albertahealthservices.ca/assets/info/hp/mha/if-hp-mha-guide.pdf> Page 88



Adjourned hearing due to competency? Now what?



If a MHRP hearing has been adjourned due to a client's lack of mental competency or capacity...

The psychiatrist will need to document accordingly in client's health record and client's family member (if available) will need to sign the Informed Consent Subject to the Mental Health Act Form as well as the consent section on the Form 19 or 20 as applicable. Please send both the Informed Consent Subject to the Mental Health Act Form and updated CTO back to the CTO office. In addition, send updated Hearing Booking Request Form to schedule adjourned hearing.

If the client does not have a family member, a DMLR (Decision Maker of Last Resort Form <https://cfr.forms.gov.ab.ca/Form/OPG12810.pdf>) will need to be completed and sent to Office of the Public Guardian. Often times, the OPG is reluctant to sign onto a previously issued CTO. If this is the case, then a Form 19 (since Form 20 has already expired) must be issued and then OPG will sign CTO (SDM) consent. If a Form 19 is issued, then a MHRP deemed hearing is not required as it is no longer a Form 20.

If your client lacks capacity:

If the client lacks global capacity under one of the many domains, then a Form 4 is required to be completed, and either family or the OPG will need to apply for guardianship.

If the client has family, the family will need to sign consent (SDM) for the Form 19/Form 20 as applicable and Informed Consent Subject to the Mental Health Act will need to be completed. Please send these forms back to the CTO office as well as updated Hearing Booking Request Form to schedule adjourned hearing.

If the client does not have a family member, then a DMLR (Decision Maker of Last Resort <https://cfr.forms.gov.ab.ca/Form/OPG12810.pdf>) will need to be completed and sent to Office of the Public Guardian. Often times, the OPG is reluctant to sign onto a previously issued CTO. If this is the case, then a Form 19 (since Form 20 has already expired) must be issued and then OPG will sign CTO consent (SDM). If this is the case then a MHRP deemed hearing is not required as it is no longer a Form 20.

Did you know that we have a CTO General Email Box!! This is our preferred way of communication; this is to ensure any CTO related submission or enquires are addressed in a timely manner. Calgaryzone.CTO@albertahealthservices.ca