

# Mental Health and the Law

Tuesday, May 21, 2013  
Ottawa

Updated: March 25, 2013



## Mental Health and the Law

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National Arts Centre  
53 Elgin Street  
Ottawa, Ontario K1P 5W1

**The legislative and regulatory environment governing mental health in Ontario has evolved significantly in recent years. Health care practitioners, from both Schedule 1 and Non-Schedule 1 facilities are consistently faced with new and unique challenges in caring for patients with mental illness and/or capacity issues.**

**In 2009, the Ontario Hospital Association (OHA) released A Practical Guide to Mental Health and the Law in Ontario Toolkit to assist health care providers in complying with the legislative provisions and legal principles governing the delivery of mental health services in Ontario. Since that time, there have been a number of legislative changes impacting the provision of mental health services. As such, the OHA re-released an update to the Toolkit (October 2012) to ensure that health care practitioners have the most current and up-to-date resource to assist in caring for their patients in a mental health context.**

**People living with mental illness have unique needs and quite often several issues are at play. Understanding a patient's privacy, seeking rights advice, and ascertaining capacity, among others, makes mental illness and the law an increasingly complex area.**

This conference will build on the toolkit and provide a practical perspective to assist health care practitioners in understanding the complex legal environment in which mental health care is provided.

### **Topics include:**

- Legal Framework: Hospitalization and Assessment under the Mental Health Act
- Interactions with the Court, Forms and Report Writing
- Consent and Capacity Boards
- Use of Restraints: Balancing Appropriateness
- Case Study: Mental Health Interactions - A Practical Perspective: What is Everyone's Role?

# Agenda

**8:30 am**

**Registration and Continental Breakfast**

**9:00 am**

**Welcome and Opening Remarks**

**Chair: Kirsten Crain**

*Partner, Ottawa Office*

Borden Ladner Gervais LLP

**9:15 am**

**Legal Framework: Hospitalization and Assessment under the Mental Health Act**

**Michelle O'Bonsawin**

*General Counsel*

Royal Ottawa Health Care Group

**10:00 am**

**Interactions with the Court, Forms and Report Writing**

- What should be included in the report? What should not?
- When to use the form? Does the patient meet the test?
- What to do when patients want to leave against medical advice and you are asked whether you can “form them”?
- Preparation for the disclosure meeting

**Barbara Walker-Renshaw**

*Partner*

Borden Ladner Gervais LLP

**10:45 am**

**Networking Refreshment Break**

**11:00 am**

**Consent and Capacity Boards**

- What are the expectations of the panel board?
- How do they want submissions?
- When should witnesses be included?
- How can we run the most productive boards?

**Susan Opler**

*Vice Chair and Senior Lawyer Member*

Consent and Capacity Board of Ontario

**12:00 pm**

**Networking Luncheon**

**1:00 pm**

**Use of Restraints: Balancing Appropriateness**

- Why are they used?
- When are they necessary?

**Speaker to be announced**

**1:45 pm**

**Networking Refreshment Break**

**2:00 pm**

**Mental Health Interactions: A Practical Perspective Case Study: What is everyone's role?**

**Panel:**

**Dr. Wendy Cole**

*Staff Psychiatrist and Clinical Director, Mental Health Day*

*Treatment Program*

Queensway Carleton Hospital

**Michael Davies**

*Partner*

Foord Davies LLP

**Colleen MacPhee**

*Clinical Manager – Mobile Crisis Team*

The Ottawa Hospital

**S/Sgt. Dana Reynolds**

*High Risk Offender Management Unit*

Ottawa Police

**3:15 pm**

**Wrap Up and Adjournment**

**Chair: Kirsten Crain**

## Registration

Please register for this program online. For more information, visit: [www.oha.com/conferences](http://www.oha.com/conferences).

*Please note:* space is not guaranteed unless payment is received prior to the event.

## Registration Fee

Fee: \$499 + HST

## Discount Policy

The first registrant must pay the full registration fee. If more than one full registration is received from the same organization, a 15% discount (+ HST) will apply to each additional registration received. All group registrations must be received at the same time. This discount is not valid with other program promotions.

### Discounted fee for each additional registrant:

\$424.15 + HST

## Payment Methods

Payment can be made by Credit Card (American Express/VISA/Mastercard) or Cheque. Please note, for transactions less than \$200 before taxes, payment must be made by credit card.

## Badge Pick-Up

Registration badges can be picked-up on Tuesday May 21, 2013 at 8:30am at National Arts Centre, 53 Elgin Street, Ottawa, Ontario.

## Cancellation Policy

A \$200.00 (+ HST) processing fee per registrant will apply to cancellation refunds received in writing up to five business days prior to the event. No refunds will be given for cancellations received less than five business days prior to the event. Substitutions are welcome. The OHA reserves the right to cancel or reschedule an event.

## Accommodation

If you require accommodation, please contact The Lord Elgin Hotel at 613 235 3333, 1 800 267 4298 or email [reservations@lordelgin.ca](mailto:reservations@lordelgin.ca). Please be sure to indicate that you are attending **Mental Health and the Law** to secure a special room rate of \$144. Be sure to make your hotel reservation before April 27, 2013, as accommodations for that time period are filling up quickly and room block space is limited. Reserve your accommodation online by clicking here: [Lord Elgin Hotel](#).

## Special Requirements

If you require extra assistance or have special requirements, please let us know when registering for the event to ensure we can accommodate them.

## Contact Us

For additional event information and questions, please contact Elizabeth Barrasso at 416 205 1352, or 1 800 598 8002 ext. 1352 or [ebarrasso@oha.com](mailto:ebarrasso@oha.com).

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Contact Lisa Shulist at 416 205 1455 / 1 800 598 8002 ext. 1455 or [lshulist@oha.com](mailto:lshulist@oha.com) to help you design a strategy that meets your marketing goals and objectives.

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