ACT Mental Health Consumer Network

About the *My Rights, My Decisions* Form Kit

The *My Rights, My Decisions Form Kit* is a tool that people with lived experience of mental health issues (referred to as 'consumers') can use to put in place legally recognised decisions about their mental health treatment and support in the ACT in case they become unwell in the future.

The *My Rights, My Decisions* Form Kit:

- meets the requirements of the *Mental Health Act 2015* (ACT) provisions for Nominated Person, Advance Agreement and Advance Consent Direction.
- supports consumers to express their views and preferences about their mental health treatment, care and support, which in turn helps treating teams achieve better outcomes for people they are working with.
- has been developed in consultation with mental health consumers, ACT Government Health Directorate, ACT Disability, Aged and Carer Advocacy Service (ADACAS), Mental HealthCarers Voice ACT, Legal Aid ACT, and the ACT Human Rights Commission.



Nominated Person Form: Identifies whom the consumer has chosen to express their decisions if they become unwell.

Advance Agreement: Includes a person's decisions about 'everyday' matters, including who will look after their house or pets. Consumers can also provide any relevant information such as languages they speak or other illnesses they have.

Advance Consent Direction: Sets out directions relating to a consumer's mental health treatment. Consumers can also say who they do or don't want to receive information about them when they have reduced decision-making capacity.

These three tools are available for free as a Form Kit. Visit actmhcn.org.au/my-rights-my-decisions or use the QR code to download a copy.

Community Fact Sheet

ACT Mental Health Consumer Network
Level 2 Room 11 Griffin Centre, 20 Genge Street, Canberra City
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Supporting consumers with the *My Rights, My Decisions* Form Kit

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How to support a consumer with a Form Kit:

- Encourage consumers to consider what they want, and plan for future decisions by using the My Rights, My Decisions Form Kit. Consumers may choose to complete one, two or all three forms.
- For a form to be valid, it needs to be signed off by a member of the person's treating team (e.g. GP, psychiatrist, psychologist) provided it's within their scope of practice.
- If the consumer doesn't have a regular treating team member, we recommend referring them to 'Medicare Mental Health (www.medicarementalhealth.gov.au) who can refer them to relevant services and help them draft their ideas..
- We recommend the consumer makes at least one draft of each form they want to complete before writing the final version. Consumers can ask people they trust to help with the drafts. This will save them time and money with their treating team member.
- Consumers should book a long appointment when going to finalise their Form Kit with their treating team member. They may want to let staff know the purpose of the appointment to ensure that the appointment will be long enough. At the appointment the treating team member will review the draft and discuss any concerns they may have.
- **Important:** Under the *Mental Health Act 2015* (ACT), consumers are assumed to have decision -making capacity. If the treating team member is concerned that a consumer may not have decision-making capacity, they may suggest making another appointment and bringing a person the consumer trusts to support them.
- Consumers are encouraged to review their decisions regularly to ensure the information stays up to date.
- Consumers have the right to withdraw their forms at any time when they have decision-making capacity, either verbally or in writing.
- A copy of the form should be provided to any person who needs it (e.g. nominated person, carer, friend, psychologist).

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