

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER H-0.01 REG 2

The Health Districts Act

Section 40

Order in Council 500/95, dated May 30, 1995

(Filed May 30, 1995)

Title

1 These regulations may be cited as *The District Health Board Conflict of Interest Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Health Districts Act*;
- (b) “**associate**” means, in relation to a member:
 - (i) a corporation of which the member beneficially owns, directly or indirectly, more than 10% of any class of voting equity securities of the corporation that are outstanding at that time;
 - (ii) a partner, other than a limited partner, of the member;
 - (iii) a trust or estate in which the member has a beneficial interest or serves as a trustee or in a capacity similar to a trustee;
 - (iv) a parent or child of the member; or
 - (v) any other person who has the same residence as the member;
- (c) “**member**” means a member of a district health board.

Conflict of interest

3(1) A member is in a conflict of interest with respect to a matter involving the district health board where a decision on the matter would or could have direct financial implications for the member or an associate of the member, whether the decision involves a contract or not.

(2) Without limiting the generality of subsection (1), a conflict of interest includes the circumstances where the member:

- (a) is a party to a contract or proposed contract with the district health board;
- (b) is an employee, officer or director of, has a material interest in or is an associate of a person who is a party to a contract or proposed contract with the district health board; or
- (c) is an employee, officer or director of, has a material interest in or is an associate of a person who is in competition with a person for a contract or proposed contract with the district health board.

Manner and time of disclosure

4(1) Where a member is in a conflict of interest, the member shall disclose to the district health board the nature and extent of the interest of the member or an associate of the member either in writing or by requesting to have it entered in the minutes of the meetings of the district health board.

(2) Subject to sections 5 and 6, disclosure must be made:

(a) at the meeting at which the matter giving rise to the conflict of interest is first considered;

(b) if the member or an associate of the member is not in a conflict of interest at the time described in clause (a), at the first meeting that is held after the conflict of interest arises;

(c) if a person who is interested in a contract or proposed contract or whose associate is interested in a contract later becomes a member, at the first meeting that is held after the person becomes a member.

Contracts not requiring approval of members

5 If a conflict of interest arises as a result of a contract or proposed contract that, in the ordinary course of business of a district health board, would not require approval by the members, a member in a conflict of interest shall disclose the nature and extent of the member's interest or the interest of the member's associate in the contract or proposed contract in writing immediately after the member becomes aware of the contract or proposed contract.

General notice

6 For the purposes of these regulations:

(a) a member may give a general notice to the members declaring that the member or any of the associates of the member:

(i) is an employee, officer or director of, or has a material interest in, a person; and

(ii) is to be regarded as being in a conflict of interest with respect to any contract made with that person; and

(b) a general notice given pursuant to clause (a) is a sufficient disclosure of interest for the purposes of section 4 in relation to any contract made with the person mentioned in subclause (a)(i).

Certain activities of interested members

7(1) A member described in section 3 shall absent himself or herself from all deliberations of the district health board with respect to any matter that results in the member being in a conflict of interest except deliberations with respect to a contract for indemnity or insurance in relation to the liability of members acting in their capacities as members.

(2) No member described in section 3 shall vote on a resolution with respect to any matter that results in the member being in a conflict of interest except a resolution with respect to a contract for indemnity or insurance in relation to the liability of members acting in their capacities as members.

Validity of decisions where disclosure is made

8 A decision of a district health board is not void or voidable by reason only of the existence of a conflict of interest of a member or by reason only that a member in a conflict of interest is present at the meeting of the district health board at which the decision is made or is counted to determine the presence of a quorum at that meeting, if:

- (a) the member discloses his or her conflict of interest in accordance with these regulations;
- (b) the decision is made by the members with knowledge of the conflict of interest.

Remedies for failure to disclose

9(1) Where a member fails to disclose a conflict of interest in accordance with these regulations, a court of competent jurisdiction may, on the application of the district health board, set aside a decision of the district health board with respect to the matter giving rise to the conflict of interest on any terms that the court considers appropriate.

(2) Where a court makes an order pursuant to subsection (1) with respect to a conflict of interest of an elected member, the member shall vacate his or her office, and the remaining members shall declare that office to be vacant and immediately notify the minister of that fact.

(3) Where a court makes an order pursuant to subsection (1) with respect to a conflict of interest of a member appointed at pleasure, the remaining members shall immediately notify the minister of that fact and request that the appointment of the member be terminated.

Coming into force

10(1) Subject to subsection (2), these regulations come into force on June 1, 1995.

(2) If these regulations are filed with the Registrar of Regulations after June 1, 1995, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 52/95

The Regional Colleges Act

Subsection 30(2)

Minister's Order, dated May 9, 1995

(Filed May 29, 1995)

Title

1 These regulations may be cited as *The Regional Colleges Amendment Regulations, 1995*.

R.R.S. c.R-8.1 Reg 1 amended

2 *The Regional Colleges Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Section 2 is amended:

- (a) in clause (c) by striking out “chairman” wherever it appears and in each case substituting “chairperson”;**
- (b) in clause (d) by striking out “Department of Education” and substituting “department over which the minister presides”; and**
- (c) in clause (h) by adding “or any other institution designated by the minister” after “University of Saskatchewan” where it appears for the second time.**

Section 3 amended

4 Section 3 is amended:

- (a) in subsection (1):**
 - (i) in the portion preceding clause (a) by striking out “for the purpose” and substituting “as chairperson”; and**
 - (ii) by repealing clause (b);**
- (b) by repealing subsection (2); and**
- (c) in subsection (3):**
 - (i) by striking out “vice-chairman” and substituting “vice-chairperson”; and**
 - (ii) by striking out “chairman” wherever it appears and in each case substituting “chairperson”.**

New Section 4

5 Section 4 is repealed and the following substituted:

Chairperson

- “4(1) A chairperson shall be appointed by the minister for a one-year term and until a successor is appointed and may be reappointed for a second term.**
- (2) Where a person has served as chairperson for two complete terms that person shall not be reappointed until at least one year has passed from the end of that person’s second term as chairperson.**
- (3) The chairperson shall preside at all meetings of the board”.**

Section 5 amended

6 Clause 5(a) is amended by striking out “chairman” and substituting “chairperson”.

Section 6 amended

7 Subsection 6(1) is repealed and the following substituted:

- “(1) Within 30 days before or after the commencement of each fiscal year, a special meeting of a board is to be held, at the call of the chairperson, for the purpose of electing a vice-chairperson”.**

Section 12 amended

8 Section 12 is amended by adding the following subsection after subsection (4):

- “(5) Tuition fees and other fees for brokered courses from an out-of-province institution, excluding Lakeland College, may be established at a level that exceeds the fees normally charged by the accrediting institution in order to ensure that, at a minimum, the direct costs of the courses are recovered”.**

Coming into force

9 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 53/95

The Mental Health Services Act

Section 43

Order in Council 499/95, dated May 30, 1995

(Filed May 30, 1995)

Title

1 These regulations may be cited as *The Mental Health Services Amendment Regulations, 1995*.

R.R.S. c.M-13.1 Reg 1 amended

2 *The Mental Health Services Regulations* are amended in the manner set forth in these regulations.

Section 6 amended

3 **Subsection 6(7) is amended in the portion following clause (b) by striking out “,** after the expiry of 30 days immediately following notification in writing to him of the opinion formed pursuant to clause (a) that he requires long-term care.”.

Section 7 amended

4 **Section 7 is amended:**

(a) in clause (a) by striking out “branch” and substituting “department”;

(b) by adding the following clause after clause (c):

“(c.1) where he or she orders a person to submit to an examination pursuant to section 23.1 of the Act, provide notice of that order to an official representative for the mental health region in which the person is being detained”; **and**

(c) by adding the following clause after clause (d):

“(e) where he or she orders the return to another jurisdiction of a person who has been detained for the purposes of psychiatric treatment in Saskatchewan pursuant to section 28.2 of the Act, provide notice of that order to an official representative for the mental health region in which the person is being detained”.

New section 7.1

5 **The following section is added after section 7:**

Regional director

“7.1(1) The regional director shall:

(a) ensure that the officer in charge is not the chief psychiatrist for the facility; and

(b) maintain a list of persons who may be identified pursuant to clause 24.3(1)(e) of the Act as persons who will ensure that persons who are the subject of community treatment orders will receive the services that they require in order to be able to reside in the community.

(2) The regional director may designate any person or agency to receive information concerning a patient for the purposes of clause 18(1)(a.1)”.

Section 8 amended

6 The following clause is added after clause 8(c):

“(d) where an order has been made by a judge for the detention of a person pursuant to subsection 24.1(3) of the Act, provide a copy of that order to the person and cause notice of that detention to be provided as soon as practicable to that person’s nearest relative and an official representative for the region”.

Section 13 amended

7 Section 13 is amended:

(a) in clause (1)(a) by striking out “or 22” and substituting “, 22, 23.1 or 24.6”;

(b) by adding the following clause after clause (1)(c):

“(c.1) on receipt of a notice of motion that an application for a long term detention order has been made pursuant to subsection 24.1 of the Act, shall visit the person who is the subject of the application as soon as practicable, provide the person with information concerning his or her rights and obligations with respect to the application, and as far as is reasonably practicable, provide any assistance that is requested, including the following:

- (i) assist the person to obtain legal counsel;
- (ii) accompany the person to the court hearing;
- (iii) represent the person at the court hearing;

“(c.2) on receipt of a notice that a person is subject to a community treatment order, shall speak with that person as soon as practicable after the community treatment order comes into effect in order to provide information pertinent to the rights and obligations of the person in relation to the community treatment order and to offer assistance to enable the person to exercise his or her rights”;

(d) by adding the following clause after clause (1)(d):

“(d.1) on receipt of notice that a person has been ordered to be returned to another jurisdiction pursuant to section 28.2 of the Act, shall:

- (i) visit the person as soon as practicable and in any event before the transfer of the person out of Saskatchewan, to provide information pertinent to the rights and obligations of the person with respect to the order and to offer assistance to enable the person to exercise his or her rights; and
- (ii) if requested to do so by the person, assist him or her to submit an appeal to the Court of Queen’s Bench”;

(e) in clause (1)(e) by striking out “may, with the consent of the patient,” and substituting “shall visit the patient as soon as practicable, and in any event, except in case of emergency, prior to the commencement of the special treatment,”; and

(f) by adding the following subsection after subsection (2):

“(3) An official representative acting pursuant to subsection (1) shall be given access to any information that he or she requires in order to provide advice or assistance to a patient”.

Section 14 amended

8 Section 14 is amended:

(a) by repealing clause (4)(a) and substituting the following:

“(a) examine the patient and inquire into the facts or circumstances of the patient that are necessary to be considered in order to enable the psychiatrist to form a satisfactory opinion that:

- (i) the patient’s mental condition will improve significantly if ECT is administered;
- (ii) the patient’s mental condition will not improve significantly without ECT; and
- (iii) alternate treatments will be relatively ineffective in treating the patient’s mental condition”;

“(a.1) prepare a written record of the diagnosis, the facts on which the psychiatrist has determined that ECT should be administered to the patient and the decision to use ECT;

(b) by repealing clause (4)(g) and substituting the following:

“(g) immediately advise the patient, the nearest relative of the patient and an official representative for the region, in the form prescribed in subsection 43(10), of the patient’s right of appeal to the review panel against the administration of ECT as set out in section 24; **and**

(c) by adding the following subsection after subsection (4):

“(4.1) Except in case of emergency, no ECT is to be administered to an involuntary patient until after the patient is visited by an official representative pursuant to clause 13(1)(e)”.

Section 18 amended

9 Section 18 is amended:

(a) by renumbering it as subsection 18(1);

(b) in subsection (1):

(i) by adding the following clause after clause (a):

“(a.1) to the extent that is demonstrably necessary for the provision of other mental health services that are necessary to maintain or restore the mental health of the patient, to any person who has been designated by the regional director, or an employee of any agency that has been designated by the regional director pursuant to subsection 7.1(2)”;

(ii) by adding the following clauses after clause (c):

“(d) with the written approval of the regional director or his or her designate, to the public trustee within the meaning of *The Public Trustee Act*, where the information pertains to the administration of the estate of a dependent adult as defined in *The Public Trustee Act*;

“(e) to an official representative for the region where he or she requires the information in order to provide advice or assistance to a patient pursuant to subsection 13(1)”; **and**

(c) by adding the following subsection after subsection (1):

“(2) Information pertaining to a deceased person may be released where:

(a) a request for the information meets the requirements set out in clauses 17(1)(a) to (g); and

(b) the regional director or his or her designate:

(i) is satisfied that the person who is requesting the information has a legitimate interest in the information requested;

(ii) concludes that release of the information would not constitute an unreasonable invasion of privacy, having regard for the interests of family members and any other persons who may have been closely connected with the deceased person;

(iii) ensures that any information not relevant to the request is severed from the information that is to be disclosed;

(iv) decides to authorize the release of the information; and

(v) records the reasons for the decision in writing”.

Section 19 amended

10 Section 19 is amended:

(a) in subsection (1) by striking out “33(1)(a) or (b)” and substituting “33(1)(a), (b) or (c)”; and

(b) by adding the following subsection after subsection (2):

“(3) The chairperson of a review panel shall notify the attending physician immediately on receiving an appeal in writing with respect to a community treatment order”.

Section 21 amended

11 Clause 21(1)(a) is repealed and the following substituted:

“(a) provide notification of the time and place of the hearing to the appellant;

“(a.1) make every reasonable effort to provide notification of the time and place of the hearing to:

(i) the person who submitted the appeal, if other than the appellant;

(ii) the official representative for the region;

- (iii) the officer in charge of the facility in which the appellant is a patient;
- (iv) the chief psychiatrist of the facility mentioned in subclause (iii);
- (v) the attending physician”.

Section 22 amended

12 Section 22 is amended:

- (a) by renumbering it as subsection 22(1); and**
- (b) by adding the following subsection after subsection (1):**

“(2) Within 24 hours of receiving notification pursuant to subsection 19(3), the attending physician, or, where he or she is not available, another physician designated by the attending physician, shall provide the chairperson of the review panel with a statement in the form prescribed pursuant to subsection 43(15)”.

New section 29

13 Section 29 is repealed and the following substituted:

Certificate for approved home operation

“**29(1)** Every person who wants to operate an approved home shall submit an application to the department for a certificate to operate a specified building or premises as an approved home.

(2) An application pursuant to subsection (1) must be in writing, pertain to a specified building or premises that may be required as an approved home and include evidence that the specified building or premises meets the requirements set out in section 30.

(3) The director may issue a certificate, on any terms and conditions that he or she considers appropriate, approving a person as an operator of an approved home in a specified building or premises where that person:

- (a) meets the requirements of clause 30(b);
- (b) will meet the requirements of clause 30(c) while operating an approved home in the building or premises specified in the certificate; and
- (c) will operate the specified building or premises that meet the requirements of clause 30(a) as an approved home.

(4) A certificate issued pursuant to subsection (3) is not transferable, is issued to the person who submitted the application pursuant to subsection (1) and is valid only with respect to the operator and the building or premises set out in the certificate.

(5) The director may suspend or revoke a certificate issued pursuant to subsection (3):

- (a) at any time, if the director forms the opinion, based on evidence satisfactory to him or her, that the building or premises set out in the certificate does not meet the requirements set out in section 30 or fails to comply with the terms and conditions of the certificate;

(b) on giving 30 days' notice in writing to the holder of the certificate, if the approved home is no longer required for the supervised accommodation of residents”.

Section 30 amended

14 Section 30 is amended:

(a) in the portion proceeding clause (a) by striking out “approving a building or premises” and substituting “respecting a building or premises that will be operated”;

(b) in clause (a):

(i) by repealing subclause (iii) and substituting the following:

“(iii) has been inspected by a fire inspector within the meaning of *The Fire Prevention Act, 1992* in the year in which the application for a certificate is made or in the immediately preceding year and will be inspected after that time in accordance with *The Fire Prevention Act, 1992*;

“(iii.1) has been inspected by the regional director or his or her designate in the year in which an application is made and annually while the certificate is valid”; **and**

(ii) by adding the following subclause after subclause (vi):

“(vii) has a lockable storage cabinet in which medications may be stored”;

(c) by adding the following subclause after subclause (b)(ii):

“(iii) will participate in educational activities as required by the regional director”; **and**

(d) in clause (c):

(i) in subclause (ii) by striking out “lodging, board and care” and substituting “supervised accommodation”;

(ii) in subclause (iii) by adding “supervised” before “accommodation”;

(iii) in subclause (iv) by adding “supervised” before “accommodation”; and

(iv) in subclause (vi) by striking out “lodging, board and care” and substituting “supervised accommodation”.

Section 31 amended

15 Section 31 is amended:

(a) by adding the following subsection after subsection (1):

“(1.1) Where a resident in an approved home has special needs beyond those which may be met pursuant to subsection (1), the regional director or his or her designate may authorize a payment be made to the resident, or in trust to the operator, to cover the costs of special services, activities, equipment or materials that will make it possible for the resident to be accommodated in the approved home”; **and**

(b) by repealing subsections (2) and (3) and substituting the following:

“(2) Where a resident is temporarily absent from an approved home, the regional director or his or her designate may authorize payments to the operator at rates that are consistent with rates authorized in similar circumstances to be paid on behalf of beneficiaries pursuant to *The Saskatchewan Assistance Act*.

“(3) Where a resident vacates an approved home without notice, the regional director or his or her designate may authorize a payment to the operator, in lieu of notice being given, at a rate that is consistent with rates authorized in similar circumstances to be paid on behalf of beneficiaries pursuant to *The Saskatchewan Assistance Act* where the payment does not constitute a duplicate payment for the resident at another residence”.

Section 43 amended

16 Section 43 is amended:

(a) by adding the following subsection after subsection (6):

“(6.1) An order by the director requiring that a person submit to an examination pursuant to section 23.1 of the Act is to be in Form F.1”;

(b) by adding the following subsections after subsection (8):

“(8.1) An order by a judge for detention of a person pursuant to subsection 24.1(3) of the Act is to be in Form H.1.

“(8.2) A notification pursuant to subsection 24.1(8) of the Act that a detention order has expired or been rescinded is to be in Form H.2.

“(8.3) A community treatment order pursuant to section 24.3 of the Act is to be in Form H.3.

“(8.4) A certificate in support of a community treatment order pursuant to section 24.4 of the Act is to be in Form H.4.

“(8.5) A notification by an attending physician advising a patient, the patient's nearest relative and the official representative that a community treatment order is no longer in effect pursuant to subsection 24.5(2) of the Act is to be in Form H.5.

“(8.6) An order to revoke a community treatment order pursuant to subsection 24.5(3) of the Act is to be in Form H.6.

“(8.7) An order for the apprehension, conveyance and examination of a person pursuant to section 24.6 of the Act is to be in Form H.7”; **and**

(c) by repealing subsection (12) and substituting the following:

“(12) An authorization for the temporary removal of an involuntary in-patient from a facility pursuant to section 29 of the Act is to be made in writing, and is to include reasons and be dated and signed by the attending physician.

“(12.1) An order of an attending physician to transfer a patient from one in-patient facility to another in-patient facility within the same municipality pursuant to subsection 28(5) of the Act is to be in Form L.1.

“(12.2) An order by the director to return a person to another jurisdiction pursuant to subsection 28.2(1) of the Act is to be in Form L.2.

“(12.3) A notice by an attending physician advising a patient that he or she is no longer subject to detention pursuant to section 24 and that is issued pursuant to section 31.1 of the Act is to be in Form L.3”.

Appendix, Part I amended

17(1) Part I of the Appendix is amended in the manner set forth in this section.

(2) Form C is repealed and the following substituted:

JUNE 9, 1995

“FORM C
Warrant to Apprehend
[Subsection 19(2) of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

To all or any of the Constables or Peace Officers in Saskatchewan or to _____ :
(name of other person directed to execute warrant)

WHEREAS information has been laid before me, the undersigned, a Judge of the Provincial Court of Saskatchewan, that: _____
(name in full of person who is the subject of this warrant)

of _____
(residence)

refuses to submit to a medical examination and is believed to be suffering from a mental disorder and is in need of examination to determine whether he or she should be admitted to an in-patient facility pursuant to section 24 of *The Mental Health Services Act*;

AND WHEREAS I have made sufficient inquiry to satisfy myself that _____
(name in full of person who is the subject of this warrant)

is in need of the examination on the following grounds: _____

_____ ;

AND WHEREAS I have made arrangements with _____, a physician
(name of physician)

who has admitting privileges to _____, in order that
(name of in-patient facility)
an examination may be made.

THESE ARE THEREFORE TO COMMAND you or any of you in Her Majesty's Name forthwith to apprehend _____
(name of person who is the subject of this warrant)

and convey him/her to _____
(name of in-patient facility)

in order that an examination may be made.

AND FOR WHAT SHALL BE DONE in the premises by the constables, peace officers or _____
(name of other person who is directed to execute warrant)

and the physician mentioned above, this shall be sufficient warrant authority.

Given under my hand and seal this _____ day of _____, _____, at _____
_____ in the Province of Saskatchewan.

Judge of the Provincial Court of Saskatchewan”.

(3) Form D is repealed and the following substituted:

“FORM D
**Order for Person from Outside Saskatchewan to be Taken Into
Custody, Conveyed and Examined as an Out-patient**
[Section 21 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

I, _____
(name of director)

being the director of mental health services appointed pursuant to section 6 of *The Mental Health Services Act*, and having reason to believe that _____
(name of person being detained)

who is detained in _____
(name and address of hospital)

a hospital, by reason of having a mental disorder, should be brought into Saskatchewan, do hereby authorize that person to be taken into custody, conveyed to _____
(name of in-patient facility and city)

an in-patient facility, and examined as an out-patient by a physician with admitting privileges to that in-patient facility.

Date

Signature of director”.

(4) The following form is added after Form F:

“FORM F.1
**Order by the Director Requiring
That a Person Submit to an Examination**
[Section 23.1 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

I, _____
(name of director)

being the director of mental health services appointed pursuant to section 6 of *The Mental Health Services Act*, and having reason to believe that _____
(name of person being detained)

has been detained under provisions of the *Criminal Code* as unfit to stand trial, not criminally responsible by reason of mental disorder or acquitted on account of insanity and his or her detention is about to expire; hereby order _____
(name of person being detained)

be examined by a physician with admitting privileges to an in-patient facility to ascertain whether he or she should be detained in an in-patient facility pursuant to section 24.

Date

Signature of director”.

(5) The following forms are added after Form H:

“FORM H.1
Order by a Judge for Detention of a Person
[Subsection 24.1(3) of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

WHEREAS an application has been submitted to this court pursuant to section 24.1 of *The Mental Health Services Act*;

AND WHEREAS evidence has been presented to the effect that _____ :
(name of person being detained)

- a) is suffering from a mental disorder as a result of which he or she is in need of treatment or care and supervision which can be provided only in an in-patient facility;
- b) as a result of the mental disorder is unable to fully understand and to make an informed decision regarding his or her need for treatment or care and supervision;
- c) as a result of the mental disorder is likely to cause bodily harm to himself or herself, or to others;
- d) has been detained pursuant to section 23, 24 or 24.1 for 60 or more consecutive days immediately prior to the date of the application for this order; and
- e) is suffering from a severely disabling continuing mental disorder that is likely to persist for a period longer than 21 days, notwithstanding that treatment is being provided;

AND WHEREAS I have made sufficient inquiry to conclude that the above criteria are satisfied;

THIS IS THEREFORE TO ORDER _____
(name of person being detained)

be detained for a period from this date until _____
(period not to exceed one year)

Issued this _____ day of _____, 19 _____

Local registrar

“FORM H.2
Notification That a Detention Order has Expired or Been Rescinded
[Subsection 24.1(8) of *The Mental Health Services Act*]

CANADA
PROVINCE OF SASKATCHEWAN

Notice to:

_____ *(name of patient)*

_____ *(nearest relative)*

_____ *(official representative)*

An order of the Court of Queen’s Bench issued on _____ *(date)*

pursuant to subsection 24.1(3) of *The Mental Health Services Act* requiring that:

_____ *(name of patient)*

be detained in _____ *(name of in-patient facility)*

_____ expired on _____ ; or
(date)

_____ was rescinded by the Court on _____ and is no longer in force.
(date)

_____ **Date**

_____ **Signature of attending physician**

JUNE 9, 1995

“FORM H.3
Community Treatment Order
[Section 24.3 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

I, the undersigned _____
(name in full and qualifications)

a psychiatrist within the meaning of *The Mental Health Services Act*, certify that on the _____ day
of _____, _____, at _____,
(place of examination)

I examined _____
(name of person who is the subject of this order)
of _____
(residence)

and on the basis of this examination and any other pertinent facts that have been communicated to me have
probable cause to believe, based on the following grounds:

that _____
(name of person who is the subject of this order)

- (i) is suffering from a mental disorder for which he or she is in need of treatment or care and supervision
that can be provided in the community;
- (ii) during the immediately preceding two-year period:
 - _____ (a) has been detained in an in-patient facility for a total of 60 days or longer;
 - _____ (b) has been detained in an in-patient facility on three or more separate occasions; or
 - _____ (c) has previously been the subject of a community treatment order;
- (iii) as a result of the mental disorder is likely to cause harm to himself or herself or to others, or to suffer
substantial mental or physical deterioration if he or she does not receive treatment or care and
supervision while residing in the community;
- (iv) requires services in order to reside in the community so that he or she will not be likely to cause harm
to himself or herself or to others, or to suffer substantial mental or physical deterioration, and these
services: (a) exist in the community; (b) are available to the person; and (c) will be provided to the
person;
- (v) as a result of the mental disorder is unable to fully understand and to make an informed decision
regarding his or her need for treatment or care and supervision; and
- (vi) is capable of complying with the requirements for treatment or care and supervision contained in
this community treatment order;

and therefore _____
(name of person who is the subject of this order)

will be provided with the services identified in Schedule A on the reverse of this form for _____
(maximum 3 months)

beginning on the _____ ; and is advised to follow treatment described in Schedule B on the
(date)
reverse of this form.

If a certificate in support of this order is issued in Form H.6, _____ :
(name of patient)

- (i) is to submit to medical treatment which is prescribed by the undersigned psychiatrist; and
- (ii) is to attend appointments with the undersigned psychiatrist or with

(name of person authorized by the regional director)
who will ensure that _____
(name of person who is the subject of this order)

will receive the services which he or she requires in order to reside in the community.

Signature of examining psychiatrist

Date

Signature of witness

(Reverse of Form H.3)
Community Treatment Order

Respecting _____
(name of person who is the subject of the order)

Schedule A

The following services will be provided _____

Schedule B

The following treatment is recommended _____

Date

Signature of examining psychiatrist

JUNE 9, 1995

“FORM H.4
Certificate in Support of a Community Treatment Order
[Section 24.4 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

I, the undersigned _____
(name in full and qualifications)

a psychiatrist within the meaning of *The Mental Health Services Act*, certify that on the _____ day
of _____, _____, at _____,
(place of examination)

I examined _____
(name of person who is the subject of a community treatment order)
of _____
(residence)

and on the basis of this examination and any other pertinent facts that have been communicated to me have
probable cause to believe, based on the following grounds:

that _____
(name of person who is the subject of this order)

- (i) is suffering from a mental disorder for which he or she is in need of treatment or care and supervision
that can be provided in the community;
- (ii) during the immediately preceding two-year period:
 - _____ (a) has been detained in an in-patient facility for a total of 60 days or longer;
 - _____ (b) has been detained in an in-patient facility on three or more separate occasions; or
 - _____ (c) has previously been the subject of a community treatment order;
- (iii) as a result of the mental disorder is likely to cause harm to himself or herself or to others, or to suffer
substantial mental or physical deterioration if he or she does not receive treatment or care and
supervision while residing in the community;
- (iv) requires services in order to reside in the community so that he or she will not be likely to cause harm
to himself or herself or to others, or to suffer substantial mental or physical deterioration, and these
services: (a) exist in the community; (b) are available to the person; and (c) will be provided to the
person;
- (v) as a result of the mental disorder is unable to fully understand and to make an informed decision
regarding his or her need for treatment or care and supervision; and
- (vi) is capable of complying with the requirements for treatment or care and supervision contained in
this community treatment order;

AND FURTHERMORE, I have probable cause to believe that a community treatment order has been issued with
respect to _____
(name of person who is the subject of a community treatment order)

in accordance with the requirements of section 24.3 of *The Mental Health Services Act*;

THIS IS THEREFORE to certify that I support the community treatment order and concur with the treatment
which the person is to follow and the services that will be provided to that person.

Date

Signature of examining psychiatrist

“FORM H.5
**Notification by an Attending Physician Advising a Patient
that a Community Treatment Order is No Longer in Effect**
[Subsection 24.5(2) of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

Notice to

(name of patient)

(nearest relative)

(official representative)

A community treatment order issued on _____

(date)

pursuant to section 24.3 of *The Mental Health Services Act* with respect to:

(name of patient)

expired on _____, has not been renewed, and is no longer in force.

(date)

Date

Signature of attending physician

JUNE 9, 1995

"FORM H.6
Order to Revoke a Community Treatment Order
[Subsection 24.5(3) of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

WHEREAS a community treatment order was issued on _____
(date)

pursuant to section 24.3 of *The Mental Health Services Act* with respect to:

(name of person who has been the subject of a community treatment order)

AND WHEREAS the said person no longer meets the criteria specified in clause 24.3(1)(a) of *The Mental Health Services Act*,

I, the undersigned _____
(name of attending physician)

being the psychiatrist responsible for the care and treatment of the person in the community, hereby revoke the certificate issued pursuant to section 24.3 of *The Mental Health Services Act* which is in effect on this date;

and you, _____
(name of person who has been the subject of a community treatment order)

are hereby advised that you are no longer subject to the conditions of that community treatment order.

Date

Signature of attending physician

Copies to:

1. Patient
2. Nearest relative
3. Official representative

“FORM H.7
**Order for the Apprehension, Conveyance
and Examination of a Person**
[Section 24.6 of *The Mental Health Services Act*]

CANADA
PROVINCE OF SASKATCHEWAN

To any peace officer or to _____
(name of other person directed to execute this order)

WHEREAS a community treatment order was issued on _____
(date)

pursuant to section 24.3 and has been validated pursuant to section 24.4 of *The Mental Health Services Act* with respect to: _____
(name of person who is the subject of a community treatment order)

AND WHEREAS that person has failed to comply with the requirements of that community treatment order and refuses to submit to a psychiatric examination to ascertain whether he or she should be admitted to an in-patient facility pursuant to section 24 of *The Mental Health Services Act*;

I, the undersigned _____
(name of attending physician)

being the psychiatrist responsible for the care and treatment of the person in the community, hereby order that the person be apprehended and immediately conveyed to _____
(location)

where I may examine him or her to ascertain whether he or she should be admitted to an in-patient facility pursuant to section 24 of *The Mental Health Services Act*.

Date

Signature of attending physician”.

JUNE 9, 1995

(6) Form J is repealed and the following substituted:

“FORM J
Notification Regarding Appeal Procedures
[*Clause 14(4)(g) of The Mental Health Services Regulations*]

CANADA
PROVINCE OF SASKATCHEWAN
Notice to

(name of patient)

(nearest relative)

(official representative)

A decision to administer ECT (electroconvulsive therapy) to an involuntary patient has been made with respect to _____
(name of patient)

Section 24 of *The Mental Health Services Regulations* creates the right of appeal by a patient of a decision to administer ECT to an involuntary patient.

A review panel has been appointed to investigate those appeals. A person who wishes to submit an appeal is advised to write to the chairperson of the review panel. The name and address of the chairperson of the review panel for this region are as follows:

(name)

(address)

Date

Signature of attending physician”.

(7) Form L is repealed and the following substituted:

“FORM L.1
**Order of a Physician to Transfer a Patient from One Facility
to Another Facility Within the Same Municipality**
[Subsection 28(6) of *The Mental Health Services Act*]

CANADA
PROVINCE OF SASKATCHEWAN

To _____
(name of officer in charge)

officer in charge of _____
(name of in-patient facility)

and to _____
(name of officer in charge)

officer in charge of _____
(name of in-patient facility)

It is advisable to transfer _____
(name of patient)

a patient now being detained in _____
(name of in-patient facility)

pursuant to section 24 of *The Mental Health Services Act* to another in-patient facility in the same municipality; now by this order you are authorized to deliver the said patient and detain him or her in _____
(name of in-patient facility)

Date

Signature of attending physician

Copies to:

1. Patient
2. Nearest relative
3. Official representative

JUNE 9, 1995

“FORM L.2
**Order by the Director to Return a
Person to Another Jurisdiction**
[Subsection 28.2(3) of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

WHEREAS _____
(name of person being detained)

is being detained in _____
(name of in-patient facility)

AND WHEREAS I have reason to believe that an order has been issued by a person with the lawful
authority in _____
(name of jurisdiction)

to order that _____
(name of person being detained)

should be returned to that jurisdiction in order to be given a compulsory psychiatric examination;
I hereby order that person be returned to that jurisdiction for the purpose of such compulsory
psychiatric examination under the following terms and conditions:

Date

Signature of Director

Copies to:

1. Patient
2. Official representative

“FORM L.3
**Notice by an Attending Physician Advising a Patient that He or She
is No Longer Subject to Detention Pursuant to Section 24**
[Section 31.1 of *The Mental Health Services Act*]

CANADA
PROVINCE OF SASKATCHEWAN

Notice to _____
(name of patient)

A certificate or certificates issued on _____
(date or dates)

pursuant to section 24 of *The Mental Health Services Act* with respect to:

(name of patient)

expired on _____, have not been renewed, and you are no longer
(date)

subject to detention or treatment pursuant to section 24.

Date

Signature of attending physician

Copies to:

1. Patient
2. Nearest relative
3. Official representative .”

(8) Forms M, N, and O are repealed and the following substituted:

“FORM M
Notification Regarding Appeal Procedures
[Section 33 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

Notice to

_____ *(name of patient)*

_____ *(nearest relative)*

_____ *(official representative)*

* * * * *

_____ *(name of patient)*

_____ is being detained in _____ *(name of in-patient facility)*

on the authority of medical certificates;

_____ has been ordered to be transferred to _____ *(name of in-patient facility)* ; or

_____ has become the subject of a community treatment order.

Section 34 of *The Mental Health Services Act* creates rights of appeal by a patient, the patient's nearest relative, an official representative or any other person who has a sufficient interest.

A review panel has been appointed to investigate those appeals. A person who wishes to submit an appeal is advised to write to the chairperson of the review panel. The name and address of the chairperson of the review panel for this region are as follows:

_____ *(name)*

_____ *(address)*

_____ Date

_____ Signature of attending physician

“FORM N
Appeal to Review Panel
[Section 34 of The Mental Health Services Act;
subsection 24(2) of The Mental Health Services Regulations]

CANADA
PROVINCE OF SASKATCHEWAN

To _____, chairperson
(name of chairperson)

of the review panel for _____
(region)

I, _____
(name of patient who is appealing, or on whose behalf this appeal is submitted)

of _____
(address)

hereby appeal:

_____ my detention in _____;
(name of in-patient facility)

_____ the order for my transfer to _____;
(name of another in-patient facility)

_____ my community treatment order dated _____;
(provide date(s) order issued and validated)

_____ the decision to administer ECT to me without my consent.

Date

Signature of patient, nearest relative,
official representative or other
interested person

Address

Relationship of signatory to patient
if signatory other than the patient

JUNE 9, 1995

“FORM O
Statement by Attending Physician to Review Panel
[Section 22 of The Mental Health Services Regulations]

CANADA
PROVINCE OF SASKATCHEWAN

To the review panel for _____
(region)

concerning the appeal by _____
(name of patient)

dated _____ concerning:
(date)

_____ his/her detention in _____
(name of in-patient facility)

_____ the order for his/her transfer to _____
(name of another in-patient facility)

_____ his/her community treatment order.

Information concerning the patient:

1. Full name _____
2. Date of birth _____
3. Usual place of residence _____
4. Name and address of nearest relative _____

Attached is a copy/copies of:

_____ the certificate/certificates under which the patient is currently being detained.
_____ the order for transfer (if an order for transfer is under appeal and if a copy of the order is not available, give the reasons for the transfer stated in the order)

_____ the community treatment order.
_____ the certificate in support of the community treatment order
_____ portions of the clinical record of the patient which are pertinent to the appeal.

Date

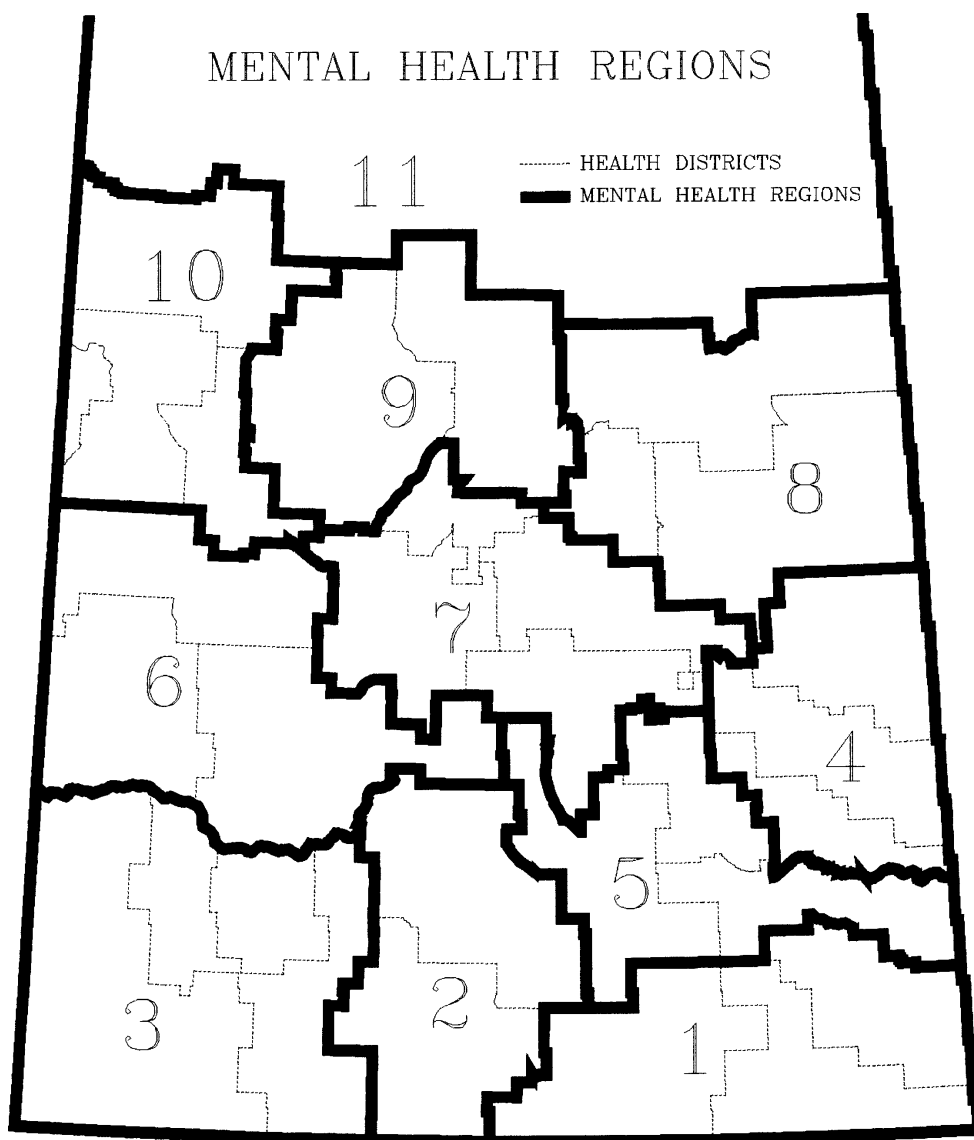
Signature of attending physician”.

Appendix Part II amended

18 Part II of the Appendix is repealed and the following substituted:

“Part II

MAP OF MENTAL HEALTH REGIONS



”.

Coming into force

19(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) If these regulations are filed with the Registrar of Regulations before *The Mental Health Services Amendment Act, 1993* comes into force, these regulations come into force on the day on which that Act comes into force.

REGINA, SASKATCHEWAN
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