



# Mental Health (Wales) Measure 2010

## 2010 nawm 7

### MENTAL HEALTH (WALES) MEASURE 2010

#### PART 1

##### LOCAL PRIMARY MENTAL HEALTH SUPPORT SERVICES

###### *Meaning of “local mental health partners”*

- 1 Meaning of “local mental health partners”

###### *Local primary mental health support services*

- 2 Joint schemes for the provision of local primary mental health support services
- 3 Duty to provide local primary mental health support services
- 4 Failures to agree schemes
- 5 Meaning of “local primary mental health support services”

###### *Primary mental health assessments*

- 6 Duties to carry out primary mental health assessments: referrals for registered patients in primary care
- 7 Duties to carry out primary mental health assessments: other primary care referrals
- 8 Duties to carry out primary mental health assessments: secondary mental health care referrals
- 9 Conduct of primary mental health assessments
- 10 Action following a primary mental health assessment

###### *Amendment to Children Act 2004*

- 11 Inclusion of schemes under this Part in Children and Young People’s plans

## **PART 2**

### **COORDINATION OF AND CARE PLANNING FOR SECONDARY MENTAL HEALTH SERVICE USERS**

#### *Definitions*

- 12 Meaning of “relevant patient”
- 13 Meaning of “mental health service provider”

#### *Appointment of care coordinators*

- 14 Duty to appoint a care coordinator for a relevant patient
- 15 Identification of the relevant mental health service provider for a relevant patient
- 16 Further provision about the appointment of care coordinators

#### *Coordination of mental health services*

- 17 Duty to coordinate provision of mental health services
- 18 Functions of the care coordinator

## **PART 3**

### **ASSESSMENTS OF FORMER USERS OF SECONDARY MENTAL HEALTH SERVICES**

#### *Assessment arrangements*

- 19 Arrangements for assessment of former users of secondary mental health services
- 20 Duty to carry out assessments
- 21 Failure to agree arrangements

#### *Assessment entitlements*

- 22 Entitlement to assessment
- 23 Assessments: the relevant discharge period
- 24 Provision of information about assessments

#### *Assessment process*

- 25 Purpose of assessment
- 26 Assessments: further provision
- 27 Action following an assessment
- 28 Referrals relating to housing or well-being services

#### *Supplementary*

- 29 Determination of usual residence
- 30 Application of this Part to persons under local authority guardianship

## **PART 4**

### **MENTAL HEALTH ADVOCACY**

- 31 Independent mental health advocates: Wales
- 32 Further provision about independent mental health advocacy for Welsh qualifying compulsory patients

- 33 Further provision about independent mental health advocacy for Welsh qualifying informal patients
- 34 Independent mental health advocates: supplementary powers and duties
- 35 Welsh qualifying compulsory patients
- 36 Welsh qualifying informal patients
- 37 Duty to give information about independent mental health advocates to Welsh qualifying compulsory patients
- 38 Duty to give information about independent mental health advocates to Welsh qualifying informal patients
- 39 Application of the Mental Health Act 1983 code of practice to Welsh independent mental health advocates
- 40 Procedures for making regulations under the Mental Health Act 1983

## **PART 5**

### **GENERAL**

- 41 Cooperative and joint working between Local Health Boards and local authorities
- 42 Information sharing
- 43 Amendment of the Local Authority Social Services Act 1970
- 44 Codes of practice
- 45 Part 1: power to secure regional provision
- 46 Part 3: power to secure regional provision
- 47 Regulations as to the individuals who may carry out primary mental health assessments and act as care coordinators
- 48 Duty to review the Measure

## **PART 6**

### **MISCELLANEOUS AND SUPPLEMENTAL**

- 49 Meaning of secondary mental health services
- 50 Meaning of housing or well-being services
- 51 General interpretation
- 52 Orders and regulations
- 53 Consequential etc amendments
- 54 Repeals
- 55 Commencement
- 56 Short title

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### **SCHEDULE 1 — CONSEQUENTIAL AMENDMENTS TO THE MENTAL HEALTH ACT 1983**

- 1 Amend the Mental Health Act 1983 as follows.
- 2 At the end of the title of section 130A insert...
- 3 In section 130A(1), (2) and (4) for “appropriate national authority”...
- 4 For section 130C(2) substitute— (2) A patient is a qualifying...
- 5 In section 130C(3) after “qualifying patient if” insert “the patient...
- 6 After section 130C(3) insert— (3A) For the purposes of subsection...
- 7 Omit section 130C(5) and (6).
- 8 In section 134(3A)(b)(i) after “130A” insert “or section 130E”.

### **SCHEDULE 2 — REPEALS**