



# Mental Health (Wales) Measure 2010

2010 nawm 7

## PART 2

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

#### *Appointment of care coordinators*

- 15 Identification of the relevant mental health service provider for a relevant patient**
- (1) This subsection applies where—
    - (a) a Local Health Board is responsible for providing a secondary mental health service for a relevant patient; and
    - (b) a local authority is not responsible for providing such a service.
  - (2) Where subsection (1) applies, the Board is the relevant mental health service provider.
  - (3) This subsection applies where—
    - (a) a Local Health Board is responsible for providing a secondary mental health service for a relevant patient; and
    - (b) a local authority is also responsible for providing such a service.
  - (4) Where subsection (3) applies, the identification of one of the persons referred to in that subsection as the relevant mental health service provider is to be made in accordance with provision in regulations made by the Welsh Ministers.
  - (5) Regulations under subsection (4) may—
    - (a) provide for disputes as to the operation of the regulations to be determined by the Welsh Ministers;
    - (b) provide for the Welsh Ministers to make such determination as they think fit requiring payments to be made by one of the persons referred to in subsection (3) to the other person in the light of a determination referred to in paragraph (a);

- (c) identify a provider as the relevant mental health service provider pending a determination under paragraph (a).
- (6) Where neither subsection (1) nor subsection (3) apply, the relevant mental health service provider is–
- (a) if a local authority is responsible for providing the patient with a secondary mental health service, the authority;
  - (b) if the patient is under the guardianship of a local authority, the authority;
  - (c) where neither paragraph (a) nor (b) apply but the Welsh Ministers are responsible for providing a secondary mental health service for the patient, the Welsh Ministers.