



# Mental Health (Wales) Measure 2010

2010 nawm 7

## PART 1

### 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**
- (1) This section applies to an individual—
    - (a) who does not fall within any of the descriptions in section 8(1); and
    - (b) in respect of whom a relevant referral for the purposes of this section is made.
  - (2) A primary mental health assessment must be carried out in respect of the individual in accordance with section 9.
  - (3) A relevant referral for the purposes of this section means a request that an individual has a primary mental health assessment which meets the following conditions.
  - (4) The first condition is that the request is made by—
    - (a) a contractor with whom a general medical services contract has been entered into under section 42 of the National Health Service (Wales) Act 2006 by—
      - (i) the Local Health Board to which the request is made, or
      - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner;
    - (b) a person with whom arrangements have been made under section 50 of that Act by—
      - (i) the Local Health Board to which the request is made, or
      - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner; or
    - (c) a registered medical practitioner employed for the purposes of section 41 of that Act by—

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*Status: This is the original version (as it was originally enacted).*

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- (i) the Local Health Board to which the request is made, or
  - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner.
- (5) The second condition is that the individual in respect of whom the request is made is a registered patient of the contractor, person or practitioner making the referral.
- (6) The third condition is that the request is made to a local mental health partner for the local authority area in which the individual is usually resident.
- (7) For the purposes of this section and sections 7 and 8 a request is to be treated as made by a contractor under a general medical services contract entered into under section 42 of the National Health Service (Wales) Act 2006, a person with whom arrangements have been made under section 50 of that Act, or a practitioner employed for the purposes of section 41 of that Act, if it is made with the contractor's, person's or practitioner's authority.