
WELSH STATUTORY INSTRUMENTS

2011 No. 2942

The Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

**Part 6 —
Transition**

Transitional provisions

11.—(1) In the case of a relevant patient for whom a care coordinator has not been appointed at the coming into force date of these Regulations, the relevant mental health service provider must—

- (a) appoint a care coordinator for that patient no later than 1 calendar month from the coming into force date of these Regulations;
- (b) ensure that the coordinator who is appointed satisfies the eligibility requirements for care coordinators set out in regulation 4 and Schedule 1 to these Regulations; and
- (c) if the care coordinator is employed by another person, ensure that the consent of the other person to the care coordinator's appointment is obtained in accordance with section 16(2) (further provision about the appointment of care coordinators) of the Measure.

(2) Where a care coordinator has been appointed for a relevant patient at the coming into force date of these Regulations—

- (a) the care coordinator is deemed to be appointed as care coordinator for that patient in accordance with regulation 4 and Schedule 1 of these Regulations, and is referred to as a "deemed care coordinator" for the purpose of this regulation;
- (b) if the deemed care coordinator is employed by a person other than that patient's relevant mental health service provider, the consent of the other person to the deemed care coordinator's appointment must be obtained by the provider in accordance with section 16(2) of the Measure; and
- (c) if the consent of the person who is the deemed care coordinator's employer is not obtained, the relevant mental health service provider must appoint another care coordinator for that patient no later than 1 calendar month from the coming into force date of these Regulations.

(3) Where the deemed care coordinator for a relevant patient does not satisfy the eligibility requirements for appointment as a care coordinator in accordance with regulation 4 and Schedule 1 of these Regulations, the patient's relevant mental health service provider must appoint a care coordinator for that patient who satisfies the eligibility requirements no later than 1 calendar month from the coming into force date of these Regulations.

(4) In the case of a relevant patient who does not have an existing care and treatment plan at the coming into force date of these Regulations, the care coordinator must—

- (a) work with that patient and that patient's relevant mental health service providers with a view to agreeing the outcomes which the provision of mental health services for that patient are designed to achieve, and prepare and record in writing a care and treatment

- plan for that patient in accordance with regulation 5 no later than 60 days from the coming into force date of these Regulations;
- (b) consult with persons in accordance with regulation 6 as part of the process of agreeing outcomes and preparing a care and treatment plan for that patient no later than 60 days of the coming into force date of these Regulations;
 - (c) provide copies of that patient’s care and treatment plan in accordance with regulation 8 no later than 10 working days after the plan has been being prepared and recorded in writing; and
 - (d) review that patient’s care and treatment plan no later than 12 calendar months from the date on which the plan was prepared and recorded in writing.
- (5) Where a relevant patient has an existing care and treatment plan at the coming into force date of these Regulations, the care coordinator must—
- (a) review that existing care and treatment plan no later than 12 calendar months from the coming into force date of these Regulations;
 - (b) as part of the review of that existing care and treatment plan for that patient—
 - (i) consult with persons in accordance with regulation 6,
 - (ii) work with that patient and that patient’s relevant mental health service providers with a view to agreeing the outcomes which the provision of mental health services for that patient are designed to achieve, and prepare and record in writing a care and treatment plan (the “new plan”) in accordance with regulation 5; and
 - (c) provide copies of that patient’s new plan as provided in regulation 8.