

## Approved Procedure 22

### Designated Mental Health Practitioners (DMHP) Appointment

#### Procedure details

This document established the criteria for appointment as a Designated Mental Health Practitioner (DMHP) under the *Mental Health and Related Services Act 1998* (the Act) and described the application and appointment process.

#### Target Audience

This procedure must be followed by:

- Approved Treatment Facilities under the Mental Health and Related Services Act
- Approved Treatment Agencies under the Mental Health and Related Services Act

[Shortcut to Procedure Checklists](#)

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# Approved Procedure 22 Designated Mental Health Appointment

## Introduction

Under the Act, a Designated Mental Health Practitioner (DMHP) has a number of responsibilities and powers, including the power to make a recommendation for psychiatric examination which authorises a patient to be conveyed to an Approved Treatment Facility (ATF) for further examination.

Should the condition of the person referred be such that assistance is required to transport the person to an ATF, a DMHP has the power to authorise the Police to assist in controlling and bringing a person to an ATF. If the Police, using their powers under Section 32A, have apprehended a person they suspect may require treatment or care under the Act, an Authorised Psychiatric Practitioner (APP), Medical Practitioner, or a DMHP must assess the person.

## Requirements for Appointment under the Act

### Qualifications

Under Section 23(2) of the Act, the Chief Executive Officer (CEO) of the Department of Health (DoH) or delegate can appoint an employee of an Approved Treatment Agency (ATA) or ATF to be a DMHP.

Under Section 23(2A) the CEO of DoH may appoint a DoH employee to be a DMHP.

Section 23(3)(a) requires that a DMHP is:

- (i) a psychologist; or
- (ii) a registered nurse; or
- (iii) a person registered under the Health Practitioner Regulation National Law to practise in the occupational therapy profession (other than as a student); or
- (iv) an Aboriginal and Torres Strait Islander health practitioner; or
- (v) a social worker; or
- (vi) an ambulance officer.

### Experience and Training

Prior to being appointed as a DMHP, the Act requires the person to have had at least 2 years' approved clinical experience (Section 23(3)(b)) and to have successfully completed an approved training and orientation course (Section 23(3)(c)).

### Duration of the Appointment

An appointment of a person under Section 23(2) remains in force only while the person continues to be employed at the ATA or ATF.

An appointment of a person under Section 23(2A) remains in force only while the person is an employee of the Agency.

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# Operational Requirements not Prescribed by the Act

## Determination of Eligibility

The Person in Charge (PIC) of an ATF or an ATA determines whether a person meets the criteria set out in the Act for appointment as a DMHP and whether to formally nominate the individual for appointment under s23 of the Act.

The positions appointed as PIC of the two ATFs in the NT are:

- Director of Psychiatry, Top End Mental Health Services (TEMHS); and
- Clinical Director, Mental Health Central Australia Health Service (MHCAHS)

The positions appointed as PIC of the two ATAs in the NT are:

- General Manager, Top End Mental Health and Alcohol and Other Drugs Service (TEMHAODS); and
- General Manager, Mental Health Central Australia Health Service (MHCAHS)

## Training

To meet the requirements of Section 23(3)(c), the applicant is to have successfully completed an appropriate training and orientation course approved by the Chief Psychiatrist.

## Appointment Process

### Completion of Training and Orientation Requirements and Application for Appointment

Before a written request for appointment as a DMHP can be submitted, the Applicant must have successfully completed a training and orientation course that has been approved by the Chief Psychiatrist.

The Applicant then completes Part A of [59 Designated Mental Health Practitioner \(DMHP\) Appointment Application Form](#). Evidence of successful course completion must accompany the application.

### Endorsement of Appointment and Submission of Application

The Applicant then submits their application to the relevant PIC for endorsement, with evidence to support the following:

- compliance with the essential qualification and experience criteria; and
- successful completion of the training and orientation requirements

The PIC then ensures that the applicant meets the criteria for appointment prior to completing and signing the remaining sections of the application form.

#### Practice Note:

Evidence that the person meets the essential criteria for appointment may include, for example, evidence of the applicant's professional qualification, AHPRA registration and certificate of completion of the required training and orientation course.

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### Authorisation by the CEO and Legal Instrument of Appointment

A completed, signed and endorsed application form, with evidence of the essential qualification and experience criteria and successful completion of the training and orientation requirements is to be emailed to the Office of the Chief Psychiatrist (OCP) ([MHRSATraining.DOH@nt.gov.au](mailto:MHRSATraining.DOH@nt.gov.au)).

As far as possible, an Application for Appointment should be submitted to the OCP at least two (2) weeks prior to the date of appointment. Where requests are made at short notice, there is no guarantee that the request will be processed in time. **Please note that if this does not occur in time, then a DMHP will potentially commence at the service without the practitioner having the required instrument in place and be unable to carry out their duties.**

Once a completed and signed application form and accompanying evidence of compliance with essential criteria has been received by the OCP, an instrument for appointment will be prepared and sent to the CEO or delegate to request approval of the appointment. Documented evidence of compliance with essential criteria will also accompany this request.

As far as possible, the OCP will process an application for appointment as a DMHP within two (2) working days of receiving the completed and signed form.

Once the legal instrument for appointment has been signed and approved by the CEO or delegate, the signed original of the instrument will be returned to the OCP. A PDF copy of the signed instrument will then be emailed to the Applicant and relevant PIC. A copy of the signed instrument will be placed on the OCP electronic file.

#### Practice Note:

The appointment process is not complete until the applicant and the PIC receive a copy of the signed instrument. A person cannot act in their capacity as a DMHP until the appointment process is complete.

### Register of DMHP Appointments

TEMHS and MHCAHS will ensure that a register is maintained of all DMHP appointments to ensure currency.

The OCP will maintain a register of all issued DMHP instruments for administration purposes only.

### Review of DMHP Appointment

TEMHS and MHCAHS will be responsible for coordinating peer review processes of appointed DMHPs.

TEMHS and MHCAHS will regularly review all individual appointments to ensure that the powers under the Act are being discharged appropriately. Where there are sufficient grounds to conclude that an individual is not practicing in accordance with the Act or is found to be insufficiently qualified to continue their appointment as a DMHP, the appointment may be revoked and the individual's name removed from the TEMHS or MHCAHS registers. If this occurs the OCP must be notified.

### Periodic review

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All appointments will be reviewed by OCP every three (3) years to ensure knowledge of the legislative provisions, their application and the powers available to the DMHP is regularly updated.

Additionally OCP will liaise with both the applicant and TEMHS or MHCAHS to ensure that relevant trainings and information are maintained.

This period of review will also provide a regular opportunity to consult each DMHP regarding the application of the legislative provisions and/or procedures to discuss issues or problems encountered and to receive their views as to how improvements might be made.

### Term and Termination of Appointments

Appointments are for either a specified term or subject to the person's ongoing employment with the ATA. This ensures that a DMHP's appointment is commensurate with current qualifications, experience and employment details. Should the practitioner cease employment with the ATA, OCP is to be notified.

As such, if a practitioner ceases to be employed and is then reemployed at TEMHS or MHCAHS, a new application for appointment must be submitted.

#### Practice Note:

If the employment of the person is terminated under provisions of the [Department of Health Probation Guidelines](#) or for any other reason, the appointment as a DMHP is also terminated.

### Definitions

The following definition(s) are relevant to this procedure.

Term	Definition
APP	Authorised Psychiatric Practitioner
ATA	Approved Treatment Agency
ATF	Approved Treatment Facility
CEO	Chief Executive Officer of the Department of Health
DMHP	Designated Mental Health Practitioner
DoH	Department of Health – known as NT Health
MHCAHS	Mental Health Central Australia Health Service
The Act	<i>Mental Health and Related Services Act 1998</i>
OCP	Office of the Chief Psychiatrist
PIC	Person in Charge
TEMHS	Top End Mental Health Service

### Document history

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## Approved Procedure 22 Designated Mental Health Appointment

### Procedure Checklists

#### Application for Appointment

- The applicant has completed any relevant training relating to their appointment
- The applicant meets all other essential criteria for appointment.
- Form 59 Designated Mental Health Practitioner (DMHP) Appointment Application Form** is completed (please ensure that the person's full name is provided, including any middle names).
- The PIC of the ATA ensures that the applicant meets the criteria for appointment** and completes and signs the remaining sections of the application form.
- Evidence of successful completion of relevant training program** e.g. copy of the certificate of completion of a training and orientation course approved by the PIC is attached to Form 59.
- Evidence that the applicant meets all other essential criteria** for appointment i.e. relevant supporting documentation regarding the person's qualifications is attached to **Form 59**.
- Form 59 and any other relevant documentation is sent via **email to the OCP** ([MHRSATraining.DOH@nt.gov.au](mailto:MHRSATraining.DOH@nt.gov.au)) at least 48 hours prior to the practitioner's proposed commencement date.

#### Appointment by the CEO

- Form 59** is fully completed, signed and endorsed by the PIC.
- Relevant documented evidence of the person's compliance with essential criteria** has been included in the application.
- Instrument of appointment prepared and submitted to the CEO** or authorised delegate for approval.
- Instrument of appointment is approved and signed by CEO** or authorised delegate.
- A signed copy of the instrument returned to **OCP and placed on the relevant electronic file**.
- A signed copy of the instrument is **emailed to the Applicant and the endorsing PIC**.
- The **DMHP is to be added to the register** maintained by TEMHS and MHCAHS.

#### Periodic Review of Appointments

- A review is held within 3 years of appointment** by OCP.
- The DMHP's knowledge of the legislative provisions, their application and the powers available is confirmed.
- The DMHP is provided with an opportunity to provide their view regarding the application of the legislation, procedures and available materials and their views have been documented for further consideration of the Quality and Safety Teams of the relevant health service.

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