

Letter to Editor.

Recommendations of the National Consultant in the field of Psychiatry on the granting of passes for temporary stay of psychiatric hospital patients outside hospital

Legal basis:

- Article 14 of the Act of 19 August 1994 on the protection of mental health (legal status as of 02/10/2018);
- Ordinance No. 48 of the Commander-in-Chief of the Police of 28 June 2018 on conducting a search for a missing person by the Police and proceedings in the event of revealing a person of unknown identity or finding unknown corpses and human remains (legal status as of 19/07/2018);
- Article 204d of the Act of 6 June 1997 – Executive Penal Code (legal status as of 30/03/2018).

In conjunction with the need to regulate the rules of giving consent by psychiatric hospital head or director for temporary stay of a person with mental disorders outside hospital without the need of being discharged, I recommend observance of the following principles.

1. A person treated in a psychiatric hospital may be granted written permission to stay outside hospital, hereinafter referred to as a pass, without the need of being discharged if this does not endanger the patient's life or the life or health of others.
2. The pass is issued for a period of up to 3 days; in justified cases and in connection with random events, the pass can be issued for a period of up to 7 days.
3. The pass shall be issued by the hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her or the director of a psychiatric hospital, after obtaining opinion of the attending doctor. Before issuing the pass, the hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her shall assess the patient's current state of health and the type of treatment used. This means that granting the pass to the patient depends on his/her mental and somatic health. The mental state of the patient to whom the pass is to be issued must not give rise to any doubt as to the threat to his/her safety and the safety of his/her

environment. In particular, the doctor must assess the risk of suicidal thoughts or tendencies, self-aggressive behaviour and aggressive behaviour towards others. In patients with a potential risk of suicide (depressive disorders, psychotic disorders, situational reactions, etc.) or with suicidal thoughts or suicide attempts, the doctor shall record in the documentation that at the time of granting the pass the risk of suicide was assessed as not present. A real risk of suicide is a contraindication to grant the pass.

4. The pass shall be issued in two copies: the original for the patient (or caregiver) while the copy shall be kept during the period of validity of the pass in the nursing staff room together with the register of passes granted, and then attached to the patient's medical records. The following should be entered in the pass form:
 - a) the patient's first name and surname;
 - b) the address of stay during the period of validity of the pass and the telephone number under which the patient will be available at that time;
 - c) pass period: date and time of start and end of the pass;
 - d) the name, address and telephone number of the person actually taking care of the patient during the period of validity of the pass; if they are the same as in point b), name and surname of that person shall be sufficient;
 - e) the medications to be taken by the patient during the period of validity of the pass and the way in which they are dosed;
 - f) other recommendations to the patient or the person actually taking care of the patient during the period of validity of the pass;
 - g) date, time and legible signature and stamp of the doctor issuing the pass.
5. The hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her shall record the following in the patient's medical records:
 - a) the period of validity of the pass, and
 - b) the patient's health state evaluation before granting the pass and after the patient's return from the pass.
6. A register of issued passes is kept in the ward. The register should include the following information:
 - ordinal number in the given year;
 - patient's first name and surname;
 - name and surname of the doctor issuing the pass;
 - date and time of start and end of the pass;
 - signature of the patient (or caregiver);
 - signature of the dispensing nurse;
 - relevant remarks (e.g., actual date of return from the pass when it is not as planned and other clinically relevant remarks).
7. In justified cases, before issuing the pass, the hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her shall, after obtaining the patient's consent, inform the person actually taking care of the person with mental disorders of his/her state of health and the extent of care required during the pass.

8. The person who has been granted the pass receives medication from the hospital for the duration of the pass. The person is not entitled to hospital food or equivalent during the period of validity of the pass.
9. If the person with mental disorders does not report to hospital after the expiry of the pass, the hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her shall immediately take steps to explain the reasons for the failure to report, by trying to make telephone contact with that person or the patient's actual caregiver, or take other necessary steps to establish the patient's fate, including reporting the fact to the Police, if he/she considers it justified.
10. If the hospital ward head, the doctor in charge of the ward or a doctor authorized by him/her determines that additional circumstances exist and considers it justified to report the patient's failure to return from the pass, he/she shall inform the Police about this fact and at the same time, to the best of his/her knowledge, shall indicate the following level of search – a degree determining the urgency and scope of undertaking search activities depending on the risk of occurrence of a threat to life, health or freedom of the missing person (pursuant to § 2 item 3 of Ordinance No. 48 of the Commander-in-Chief of the Police of 28 June 2018).
11. An offender referred to a psychiatric hospital by a court order (hereinafter referred to as the offender) placed in a psychiatric hospital with basic protection conditions may be authorized to stay outside hospital temporarily in the care of a family member or a trustworthy person if this is justified on therapeutic or important family grounds, and the risk that the offender, when outside the hospital, will commit a prohibited act or endanger his/her own life or health is negligible. The duration of the pass shall be specified in item 2 of the Recommendations.
12. The offender staying in a psychiatric hospital with basic protection conditions may be granted the pass from the director of the hospital after obtaining opinion of the attending doctor. The director of the hospital shall immediately inform the competent court of the fact that the pass has been granted.
13. If the offender staying in a psychiatric hospital with basic protection conditions does not return to the psychiatric hospital, the director of the hospital or a person designated by him/her shall immediately inform the competent court.
14. The offender who has not returned to a psychiatric hospital with basic protection conditions may, on expiry of the period for which the pass has been granted, be granted a new permit for temporary stay outside hospital not earlier than one year after the date of the offender's return to hospital.
15. A person staying in a psychiatric hospital for the purpose of implementing a protective measure ordered by a court, placed in a ward with an increased or maximum level of protection, or staying in a psychiatric hospital for judicial/psychiatric observation may be granted the pass only with the consent of the competent court.
16. Whenever these recommendations refer to a person with mental disorders, it should be understood as a person referred to in Article 3(1) of the Act on the protection of mental health; when these recommendations refer to a psychiatric hospital, it should be understood as a hospital referred to in Article 3(2) of the Act on the protection of mental health.

17. A model pass form can be found in Attachment 1 hereto.
18. A model register of granted passes can be found in Attachment 2 hereto.
19. I recommend to the directors of psychiatric hospitals to draw up procedures setting out the detailed conditions for granting passes for temporary stay of psychiatric hospital patients outside hospital.

National Consultant in the field of Psychiatry
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Lodz, 18/11/2018

Name, address and telephone number
of psychiatric hospital

Attachment 1

PASS

Patient's first name and surname

Patient's address of residence or stay during the pass and telephone number

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Period of validity of the pass: from

on

until on

Name, address and telephone number of the person actually providing care

.....

Names of medicines and how to take them:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

Other recommendations:

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Date and time of issue of the pass

Signature of the person
issuing the pass

Date

Time

Attachment 2

Register of passes issued

No.	Patient's first name and surname	Doctor issuing the pass	Date and time of leaving hospital	Date and time of return	Patient's signature	Signature of the dispensing nurse	Remarks
1/18							
2/18							
3/18							
4/18							
5/18							
6/18							
7/18							
8/18							
9/18							
10/18							
11/18							
12/18							
13/18							
14/18							
15/18							