

Amended Mental Health Act and Regulation brings two new forms to replace Form 4



Registrants are reminded that as of February 1, 2024, only Forms 4.1 and 4.2 are valid for involuntary detentions, and involuntary detentions authorized with a Form 4 are no longer legal unless the Form 4 was signed prior to February 1, 2024.

Health authorities are responsible for implementing this change and ensuring that only the new Forms 4.1 and 4.2 are used by all those authorized to complete the forms (physicians and nurse practitioners, both in community and in acute care settings).

Questions can be directed to NursingPolicySecretariat@gov.bc.ca.

Background

On February 1, 2023, the Cabinet of British Columbia brought into force sections 9–12 of the *Nurse Practitioners Statutes Amendment Act, 2011* (thereby amending the *Mental Health Act*) and amended the Mental Health Regulation to introduce the new Forms 4.1 and 4.2, replacing the earlier Form 4.

This introduced key changes including: allowing nurse practitioners to complete Form 4.1 to authorize 48-hour involuntary detention of patients; requiring the forms to be approved by a *Mental Health Act* director or delegate; requiring that the exact date and time of the director or delegate's approval be noted and observed as the starting time of the period of involuntary detention; and revising the language of the forms to be person- and patient-centred, culturally safe, trauma informed, gender affirming, and recovery oriented.

A one-year transition period began on February 1, 2023, during which time Form 4 remained legally valid along with Forms 4.1 and 4.2. As a final step, on November 29, 2023, the Order in Council (OIC) for the transition period and Form 4 repeal was approved.