
STATUTORY INSTRUMENTS

2008 No. 1184

**The Mental Health (Hospital, Guardianship
and Treatment) (England) Regulations 2008**

PART 2

**Procedures and Records Relating to Hospital Admissions,
Guardianship and Community Treatment Orders**

Procedure for and record of hospital admissions

4.—(1) Subject to paragraph (2), for the purposes of admission to hospital under Part 2 of the Act—

- (a) any application for admission for assessment under section 2 shall be in the form set out—
 - (i) where made by the nearest relative, in Form A1,
 - (ii) where made by an approved mental health professional, in Form A2;
- (b) any medical recommendation for the purposes of section 2 shall be in the form set out—
 - (i) in the case of joint recommendations, in Form A3,
 - (ii) in any other case, in Form A4;
- (c) any application for admission for treatment under section 3 shall be in the form set out—
 - (i) where made by the nearest relative, in Form A5,
 - (ii) where made by an approved mental health professional, in Form A6;
- (d) any medical recommendation for the purposes of section 3 shall be in the form set out—
 - (i) in the case of joint recommendations, in Form A7,
 - (ii) in any other case, in Form A8;
- (e) any emergency application under section 4 shall be in the form set out—
 - (i) where made by the nearest relative, in Form A9,
 - (ii) where made by an approved mental health professional, in Form A10;
- (f) any medical recommendation for the purposes of section 4 shall be in the form set out in Form A11;
- (g) any report made under subsection (2) of section 5 (detention of in-patient already in hospital for a maximum 72 hours) by—
 - (i) the registered medical practitioner or approved clinician in charge of the treatment of the patient, or
 - (ii) any person nominated by the registered medical practitioner or approved clinician to act for them,

shall be in the form set out in Part 1 of Form H1 and the hospital managers shall record receipt of that report in Part 2 of that Form;

- (h) any record made under subsection (4) of section 5 (power to detain an in-patient for a maximum of 6 hours) by a nurse of the class for the time being prescribed for the purposes of that subsection shall be in the form set out in Form H2.
- (2) For the purposes of any medical recommendation under sections 2, 3, 4 and 7 (admission for assessment, admission for treatment, admission for assessment in cases of emergency and application for guardianship respectively) in the case of—
- (a) a single recommendation made in respect of a patient whom a doctor has examined in Wales, the medical recommendation shall be in the form required by Regulations made by the Welsh Ministers to similar effect for Wales;
 - (b) joint recommendations made in respect of a patient whom both doctors have examined in Wales, the medical recommendation shall be in the form required by Regulations made by the Welsh Ministers to similar effect for Wales;
 - (c) joint recommendations made in respect of a patient whom one doctor has examined in Wales and one doctor has examined in England, the medical recommendation shall either be in the form required by these Regulations or in the form required by Regulations made by the Welsh Ministers to similar effect for Wales.
- (3) For the purposes of section 15 (rectification of applications and recommendations), the managers of the hospital to which a patient has been admitted in pursuance of an application for assessment or for treatment may authorise an officer on their behalf—
- (a) to consent under subsection (1) of that section to the amendment of the application or any medical recommendation given for the purposes of the application;
 - (b) to consider the sufficiency of a medical recommendation and, if the recommendation is considered insufficient, to give written notice as required by subsection (2) of that section.
- (4) Where a patient has been admitted to a hospital pursuant to an application under section 2, 3 or 4 (admission for assessment, admission for treatment and admission for assessment in cases of emergency respectively), a record of admission shall be made by the managers of that hospital in the form set out in Part 1 of Form H3 and shall be attached to the application.
- (5) Where a patient has been admitted to a hospital pursuant to an application under section 4 (admission for assessment in cases of emergency), a record of receipt of a second medical recommendation in support of the application for admission of the patient shall be made by the managers in the form set out in Part 2 of Form H3 and shall be attached to the application.