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CONSENT TO TREATMENT, SECOND OPINION APPOINTED DOCTORS AND CODE COMPLIANCE - AN AUDIT?

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Aim: Ensuring standards of section 58 documentation and associated communication complies with the code of practice of the Mental Health Act 1983 UK.

Method: Case note review of detained patients under section 3 of Mental Health Act (MHA) 1983, requiring either a certificate of consent to treatment (form 38) or a certificate of second opinion authorising treatment (form 39), beyond first three months of medication. A standard checklist was devised, based on recommendations of MHA commission and code of practice.

Results: Form 38 (5 Patients), 100% completion of names, dosage, route of administration of medication and proposed number of ECT treatments. Only 60% completion of documentation regarding treatment plan explanation and stating whether clozapine was included/excluded.

Form 39 (7 patients) completed correctly in 100% cases with recommendation by second opinion appointed doctor (SOAD) in 85% cases. No documentation by SOAD in case notes and contact with the responsible medical officer (RMO) was only by phone (should have face to face contact). Only in 28% of cases RMO documented the SOAD visit and outcome.

Conclusion: This audit has highlighted wide range of implications from the medico-legal perspective. The statutory documents, form 38 and 39, were completed correctly in majority of cases except for minor omissions. Adequate documentation was lacking with regards to discussion about the care plan and outcome of the SOAD visit. SOAD contact with the RMO was only on the phone (should only be in emergency) and no documentation of the second opinion in the case notes apart from filling the form 39.