## **SUMMARY OF TREATMENT UNDER THE MENTAL HEALTH ACT (flowchart)** Appendix E Is the patient detained under the Mental NO The patient Health Act? YES can refuse treatment Do they have capacity to consent to YES treatment? NO Use the Mental Capacity Act Is the treatment for mental disorder? NO The patient Do they have can refuse YES YES capacity to treatment consent to treatment? NO Are they detained on a Section 2, 3, NO 36, 37, 38, 47, or 48 Use the Mental (with or without Capacity Act restrictions)? YES Treatment can be given with Is the treatment or without consent. ECT? However, after 3 months, NO medication can only be given if the patient consents **YES** or a second opinion doctor agrees. It must be determined that the detained patient has capacity to make a decision to agree to treatment or not. If it is deemed they have capacity; but they refuse treatment; ECT cannot be administered.