

# INFORMATION GUIDE

## Know Your Rights

### As a Patient in a Mental Health Facility or Hospital

**Examples of patient rights (regardless of patient status) include the right to:**

- be treated with respect and dignity
- express opinions and be heard
- receive professional care and treatment from a regulated health care provider consistent with their professional standards
- receive care, in a safe and secure environment - free of abuse, neglect, coercion, discrimination and harassment
- practice your religion
- communicate in a way that respects your disability-related needs (e.g. sign language)
- if eligible, vote in any municipal, provincial, or federal election
- make decisions about your money and your belongings unless a doctor found you incapable of managing your property. If that is the case, your substitute decision-maker for property will make decisions on your behalf.
- accept or refuse the treatment unless a doctor found you incapable of making decisions. Otherwise, your substitute decision-maker will decide on your behalf.
- know the reason for your detention
- send and receive written communications unless an exception applies.

- receive information about treatment in a format that you can understand, including:
  - the nature of the treatment
  - the expected benefits and possible side effects of the treatment
  - other treatment options
  - what can happen if you don't have the treatment
  - consent to the collection, use and disclosure of your personal health information, unless a doctor found you incapable of consenting. Otherwise, your substitute decision maker will consent on your behalf. If you don't have a substitute decision-maker, you may ask the Consent and Capacity Board (CCB) to appoint one.
- receive rights advice in certain situations, such as if a doctor intends to put you on a Community Treatment Order or your legal status has changed (e.g. the doctor determines you meet the criteria for involuntary admission).

A doctor can change your patient status to involuntary if you pose a risk of serious harm to yourself or others even if you entered the facility as a voluntary patient.

**If you do NOT agree with decisions about your patient status or incapacity, you can:**

- apply for a hearing before the CCB and have a hearing within seven days after the board receives your application
- represent yourself or have a lawyer represent you at the CCB
- if you meet the financial need requirements, seek help from Legal Aid Ontario
- give evidence or call witnesses to support your case at the CCB hearing

- receive the board's decision within one day after the hearing ends and request written explanation of the decision within 30 days
- make complaints about a doctor, nurse, social worker, or other professional involved in your health care to their college
- make a complaint to the Information and Privacy Commissioner of Ontario about the use of your personal health information.

## Questions?

For questions and information about the Consent and Capacity Board hearings, visit their [website](#).

If you have a question about your specific legal situation, contact a lawyer.

For questions about this Information guide, visit [Ontario.ca/PPAO](https://ontario.ca/PPAO) or contact Psychiatric Patient Advocate Office at 1-800-578-2343.

This information guide provides information only and does not contain legal advice. If at any time requirements in legislation conflict with information in this sheet, the legislative requirements prevail.