



Ministerie van Volksgezondheid,
Welzijn en Sport

Care authorisation

A summary of the brochure

What is a care authorisation?

What happens when a care authorisation is issued? And what can you do?

If you are endangering yourself or others as the result of a psychological problem, a care authorisation may be imposed on you. Below is an explanation of what a care authorisation is and what you can do to avoid one.

Instead of 'he/she' we have used 'they' in this text.

What is a care authorisation?

When there is a care authorisation, you will receive compulsory medical care for a number of months or years. You will, for example, have to stay in a care institution or be required to take medication.

When can someone request a care authorisation for you?

Health professionals may apply for a care authorisation from the courts if they think that you are seriously endangering yourself or someone else. This can be the case if you become aggressive because you are hearing voices, or if a psychosis means that you are no longer able to care for yourself.

That is only allowed in the following situation:

- There is no other way to prevent or eliminate the danger.
- The health professionals think that the danger has arisen because you have a psychological problem.
- You do not want to cooperate with the care they are providing.
- The situation is not urgent. If it is urgent, the health professionals will apply for a crisis measure.

It is also possible that someone else, for example a family member, may be afraid that you will endanger yourself or others. They can report this to the local authority. After investigations, the municipality can apply for a care authorisation, if necessary.

What happens before a care authorisation is made?

The public prosecutors are the people who assess the request for a care authorisation. The people they will ask for an opinion include:

- A medical director. This is a psychiatrist at a mental healthcare institution.
- An independent psychiatrist. They examine you and draw up a medical statement.

After 4 to 6 weeks, the public prosecutor will (if they think it necessary) ask the judge for a care authorisation. The judge decides after no more than 3 weeks whether a care authorisation will be issued. The court organises a hearing for this. During the hearing, both you and your lawyer can give your opinion.

What can you do about it?

There are two ways of avoiding having a care authorisation imposed.

1. Ask the independent psychiatrist what dangers they are worried about. You may perhaps be able to do something yourself that avoids or eliminates that danger.
2. Make an action plan and send it to the medical director concerned. The action plan should state how you want to avoid the situation with compulsory medical care. It could for example mean voluntarily obtaining certain care or doing something else.

What happens when the care authorisation has been issued?

The compulsory medical care will start within 2 weeks of the judge's decision. You may receive compulsory medical care at home, in an outpatient clinic or in a mental healthcare institution. You may for example be given the following care:

- You receive compulsory food, drink or medication.
- You receive compulsory therapy, medical check-ups or medical treatment.
- The health professional will examine you. They may never look inside any bodily cavities, such as your mouth.
- The police will check to see if there are drugs or weapons in your home or in your room. To provide the care, the health professionals may hold you down, apply constraints or lock you up.

The care coordinator is the individual who arranges this compulsory medical care. They produce two documents in consultation with you:

- The care card. This says what you do and do not want in terms of care and medication.
- The care plan. This states what compulsory care may be given to you during the period of the care authorisation. The care plan takes account of the wishes on the care card as much as possible.

Please note: if you have medical problems or are taking medication, or if you have a declaration that says what you do and do not want (such as a "crisis card"), tell the health professionals and your care coordinator.

Who can help you?

The following people can provide help.

- If you want, a patient advocate can be assigned to you. The patient advocate is independent and their advice is free of charge.
- You will get a lawyer who will stand up for your rights.
- Family and friends. Give your care coordinator the names of the people who can help you.
- If you are not able to represent your own interests properly, a representative will be designated to take decisions on your behalf.
- And the health professionals are there to help you as well, of course.

How long does the care authorisation last?

The care authorisation itself states how long it will last. The general rule is:

- The first care authorisation lasts for six months.
- If you get a new care authorisation immediately after the old one, it will last for a maximum of 1 year.
- If you get a new care authorisation immediately after 5 years' compulsory medical care (or longer), it will last for a maximum of 2 years.

If a care authorisation runs out and a new one has not been requested, it then stops automatically.

Information

This is an extract. Please read the brochure Care Authorisation on www.dwangindezorg.nl/wvvggz

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