

Advisory Committee on Mental Health receive briefing by Hospital Authority on preliminary review outcomes of "Conditional Discharge" mechanism

The Advisory Committee on Mental Health (ACMH), chaired by Mr Wong Yan-lung, SC, held a meeting on July 27. Members were briefed by the Hospital Authority (HA) on the preliminary review outcomes of the "Conditional Discharge" mechanism under the Mental Health Ordinance.

The Under Secretary for Health, Dr Libby Lee, thanked members for actively expressing their views. She pointed out that the premise of the "Conditional Discharge" mechanism is to allow patients with mental disorders, upon stabilisation of condition, to return to their familiar community to continue their path of rehabilitation. However, it is of utmost importance to strike a balance between protecting the health and safety of the patients and the public, and safeguarding the rights of the patients. On this basis, the "Conditional Discharge" mechanism can be taken forward in the following four directions:

1. Improve the "Conditional Discharge" mechanism to divert the status of voluntarily admitted patients who are found to have a medical history of criminal violence or disposition to commit criminal violence to compulsory detention, so that patients will be subject to the "Conditional Discharge" mechanism if needed upon discharge

Currently, under the Mental Health Ordinance, the "Conditional Discharge" conditions could only be imposed on patients under compulsory detention and with a medical history of criminal violence or disposition to commit such violence. Hence, the mechanism does not apply to patients who are admitted voluntarily but with a medical history of criminal violence or disposition to commit such violence. To this end, the HA will revise the guidelines provided to frontline psychiatrists with a view to improving the "Conditional Discharge" mechanism. One direction of the improvements will be allowing doctors to divert patients to compulsory detention under the Mental Health Ordinance pursuant to the guidelines if the patients exhibit violent behavior or disposition to commit criminal violence, such that the "Conditional Discharge" mechanism will be applicable to these patients for them to receive appropriate follow-up and support. The Government will carefully study the relevant changes, including whether amendments to the Ordinance are necessary.

2. Enhance support to patients on "Conditional Discharge" and their carers

To support patients in medication compliance, the HA will formulate clear clinical guidelines, protocols or risk assessment tools to prescribe

newer oral drugs or injections with fewer side effects for suitable patients as far as practicable. Doctors will stipulate more specific and targeted monitoring requirements for medication compliance in the "Conditional Discharge" conditions, such as requiring observation of patients taking medication through tele-conferencing, checking the quantity of medication taken, and examining the medication compliance through blood or urine tests, in order to ensure that the patients have taken medication according to doctors' instructions.

When considering the discharge of a patient, the HA will first and foremost take into account whether the patient has sufficient community support. Moreover, the Government will strengthen support for carers so that they can effectively assist patients in complying with "Conditional Discharge" conditions, such as receiving residential care at halfway houses for a transitional period. The HA will also enhance the education for the patients and their carers for them to realise the importance of medication compliance. The HA will improve communication and co-operation among healthcare professionals, medical social workers and carers, and will enhance the education and training for healthcare professionals and medical social workers, so as to upskill them in identifying symptoms of relapse and following up with cases.

3. Recall patients whose condition has deteriorated and have violated the "Conditional Discharge" conditions to the hospital in time for treatment

In the event of deterioration of a patient's condition and his or her violation of the "Conditional Discharge" condition, the HA should identify the case at an early stage and recall the patient concerned to the hospital as early as possible if necessary. The Government will follow up on the 10 enhanced measures announced on June 9 to support persons in mental recovery or with mental health needs, including strengthening the manpower of case managers, enhancing the communication in case management between the HA and the Social Welfare Department (SWD), etc to closely monitor the condition of patients under "Conditional Discharge" and provide them with timely treatment and support.

4. Establish a case review period for patients under "Conditional Discharge"

The HA will establish a review period for the cases and conduct professional assessment for patients through the existing Multi-Disciplinary Case Conference mechanism. Under the mechanism, professional staff including case doctors, medical social workers, case managers, nurses and allied health professionals will conduct assessment for the patients taking into consideration of factors such as recovery status of the patients, family support and risk factor. Depending on the patient's condition, the "Conditional Discharge" order will be reviewed at least every two years.

Regarding the suggestion to introduce "Compulsory Treatment Order" (CTO), the Government and the ACMH are in consensus that there is currently no consistent research to support the efficacy of CTO in reducing the risk of patients exhibiting violent behavior, while its introduction will restrict

the freedom of patients. The HA will improve the "Conditional Discharge" mechanism in accordance with the aforementioned directions. There is no plan to introduce CTO at this stage.

Dr Lee said, "The Government will continue to press ahead the [10 enhanced measures announced on June 9](#) through the Health Bureau, the Labour and Welfare Bureau, the Education Bureau, the Department of Health, the SWD, the HA, non-governmental organisations and other stakeholders in the community. Multi-disciplinary services will also be provided to support persons in mental recovery or with mental health needs on all fronts."