

## **MENTAL HEALTH LAW**

### **Aim**

**Article 1-** The goal of this law is to protect the individual's mental health, to organize services geared towards the treatment and rehabilitation of mental illnesses and to enable legal and institutional regulations for a patient's involuntary admittance to a hospital when necessary.

### **Protective measures**

**Article 2 –** The state of the Republic of Turkey takes measures to prevent factors that damage social and individual mental health; the state takes measures to prevent abuse of harmful substances, to educate parents and to safeguard children against all printed, auidial and visual stimuli that includes violence.

### **Mental Health Treatment Institutions**

#### **Article 3**

1. Regional mental health hospitals are founded for on site treatment of patients with a mental illness; high security regional mental health hospitals are founded for patients that criminal courts have issued decisions regarding their protection and treatment. The target is to provide 1 mental health hospital bed for every 3000 people.

2. General hospitals linked to the Ministry of Health or universities and which provide inpatient services must reserve 5% of their total bed capacity to mental health and illnesses services. At least half of the beds reserved for mental health services in state or university hospitals must be made suitable for involuntary admittance patients.

3. Except in obligatory circumstances, experts in mental health and illnesses are to provide mental health services. Nurses working in this field are to be mental health nurses or are to receive relevant in-service training.

### **Community based mental health services**

**Article 4-** Takes measures that enable treatment of patients with a mental illness in society. Enables patients that lack family support, are not in harmony with the treatment and whose illnesses are acute, to benefit from community based mental health services. Daytime hospitals, community mental health centres, halfway houses and shelters are built in this respect.

### **Monitoring and supervision of mental health service institutions**

**Article 5-** A “**Central Mental Health Committee**” formed by the Ministry of Health and a “**Mental Health Committee**” formed by every provincial or district health directorate oversee whether or not the mental health services provided by mental health institutions noted in this law comply to general standards of medicine and the necessities indicated by this law. Along with officials from the ministries, the committee also consists of representatives from related trade bodies, patient and patient relatives.

### **Regulations concerning the admittance to a hospital of a patient with mental illness**

**Article 6-** Patients who carry the risk of harming those around them or themselves and who carry the risk of irretrievable damage to their mental and physical health if they are not

treated at a hospital are involuntarily admitted to a hospital. The decision to involuntarily admittance rests on the regional court of peace and the place to object to this decision is the civil court of first instance. In order for involuntary admittance to be carried out, a report by the institution that has admitted the patient and one by an independent expert in mental health and illnesses who is either appointed by the court or who is not an employee at the same institution are required. The related investigation is completed in two working days. Involuntary admittance is for three months at most and at every prolongation the same procedure of consent from the court has to be repeated.

### **Right to privacy of the patient with mental illness**

#### **Article 7**

1. Any declaration to the public and to third parties concerning the mental illness or treatment of an individual, any publication of the patient's name, voice and image in print, oral and visual mass communication media or the Internet is a violation of the individual's personal rights.

2. The right to privacy of the patient with a mental illness must be protected even after they are deceased.

3. Courts may request the information and documents relating to the patient's previous mental inquiries and treatments by obtaining the patient's consent. Consent is not sought in cases of danger to society or other legal obligations.

#### **Execution**

**Article 8-** This law is executed by the council of ministers.

#### **Enforcement**

**Article 9-** This law begins to be enforced on the date it is published.