

PRACTICE STANDARD

Nurse Practitioners: Mental Health & Capacity Assessments

Introduction

This practice standard outlines the expectations that must be met when nurse practitioners conduct assessments under provincial legislation, including the *Mental Health Act* (involuntary admissions), *Adult Guardianship Act* (financial incapability), and the *Health Care (Consent) and Care Facility (Admission) Act* (incapability assessments for care facility admission).

MENTAL HEALTH ACT – INVOLUNTARY ADMISSIONS

The *Mental Health Act* sets out the criteria for the involuntary admission of a person to a provincial mental health facility, psychiatric unit, or observation unit (a “designated facility”) for up to 48 hours for examination and psychiatric treatment.

Under the *Mental Health Act*, nurse practitioners are authorized to complete:

- The first medical certificate to support a person’s involuntary admission under section 22(1) (Involuntary Admission);
- An examination of a person requested by a police officer or constable under section 28 (Emergency Procedures) and, if required, the first medical certificate to support that person’s involuntary admission under section 22(1) (Involuntary Admission).

Nurse practitioners complete Form 4.1 (First Medical Certificate [Involuntary Admission]) after examining the person in accordance with section 22(3) of the *Mental Health Act*.

Under the *Mental Health Act*, nurse practitioners are not permitted:

- To complete a second medical certificate (Form 4.2) under section 22(2) to support a person’s continued involuntary admission and treatment,
- To complete Form 6 (Medical Report on Examination of Involuntary Patient [Renewal Certificate]),
- To provide a second medical opinion, or
- To authorize or take responsibility for an Extended Leave (Form 20).

A person examined by a nurse practitioner under sections 22 or 28 is considered to be their client for the purposes of BCCNM standards, limits, and conditions.

Before requesting involuntary admission of a client under the *Mental Health Act*, nurse practitioners must meet the following limits and conditions.

ADULT GUARDIANSHIP ACT – FINANCIAL INCAPABILITY ASSESSMENTS

Under the Statutory Property Guardianship Regulation, nurse practitioners are authorized to conduct the functional component of an assessment for financial capability (the adult's ability to manage their own financial affairs – section 32(3) of the *Adult Guardianship Act*). A medical component must also be completed and only a medical practitioner may do that assessment.

HEALTH CARE (CONSENT) AND CARE FACILITY (ADMISSION) ACT – INCAPABILITY ASSESSMENTS FOR CARE FACILITY ADMISSION

Under section 16 of the Health Care Consent Regulation, nurse practitioners are prescribed as assessors for the purposes of Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act*. This authority allows a nurse practitioner to assess an adult for capability to give consent to admission to, or continuing residence in, a care facility (section 26 of the *Health Care [Consent] and Care Facility [Admission] Act*).

Standards

1. When completing a medical certificate for involuntary admission under the *Mental Health Act* or a capacity assessment, nurse practitioners act in compliance with the nurse practitioner standards of practice (including BCCNM's Indigenous Cultural Safety, Cultural Humility, & Anti-Racism practice standard), relevant legislation, employer policies, and their individual competence
2. Nurse practitioners completing a medical certificate for involuntary admission under the *Mental Health Act* or a capacity assessment discuss with the **client** the reasons for completing the medical certificate or the findings of the capacity assessment.
3. Nurse practitioners who perform assessments for involuntary admission under the *Mental Health Act* assess the client in person if possible, unless the nurse practitioner determines:
 - a. that another assessment method (e.g., virtual assessment) together with any other available records and collateral information provide a sufficient basis for diagnosis and to establish the client's need for *treatment* and protection, and
 - b. that an in-*person* assessment of the client would not provide additional useful information.

Limits & conditions

MENTAL HEALTH ACT – INVOLUNTARY ADMISSIONS

1. Nurse practitioners successfully complete the following course before completing a Form 4.1 (First Medical Certificate [Involuntary Admission]) under the *Mental Health Act*:
 - a. *Protecting People's Rights: Mandatory Mental Health Act Forms (Physicians and Nurse Practitioners)*¹
2. Nurse practitioners act in accordance with the B.C. Ministry of Health document, *Guide to the Mental Health Act*.

¹ Available through the PHSA Learning Hub.

ADULT GUARDIANSHIP ACT – FINANCIAL INCAPABILITY ASSESSMENTS

1. Nurse practitioners may act as qualified health care providers under Part 2.1 of the *Adult Guardianship Act* for the purpose of conducting the functional component of a financial incapability assessment in accordance with Part 3 of the Statutory Property Guardianship Regulation under that Act, if they successfully complete the Ministry of Health course, [A Guide to the Certificate of Incapability Process under the Adult Guardianship Act](#).
2. Nurse practitioners acting as qualified health care providers under Part 2.1 of the *Adult Guardianship Act* must also follow the Ministry of Health and Public Guardian and Trustee's procedural guide, [A Guide to the Certificate of Incapability Process under the Adult Guardianship Act](#).

HEALTH CARE (CONSENT) AND CARE FACILITY (ADMISSION) ACT – INCAPABILITY ASSESSMENTS FOR CARE FACILITY ADMISSION

1. Nurse Practitioners acting as prescribed health care providers under Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act* for the purpose of conducting an assessment to determine whether an adult is incapable of giving or refusing consent to admission to, or continued residence, in a care facility, must:
 - a. Have successfully completed the Ministry of Health course, [Consent to Care Facility Admission in British Columbia: A Course for Managers and Assessors](#); and
 - b. Follow the Ministry of Health guidelines, *Practice Guidelines for Seeking Consent to Care Facility Admission*.

Glossary

Client: individual receiving nursing care or services from a nurse.

Revision history

Version #	Approved by board	Bylaw in-force	Description
1.0	March 1, 2026	April 1, 2026	Initial publication

Effective April 1, 2026, this practice standard, and any amendments to it, is made a bylaw under the authority of the *Health Professions and Occupations Act, B.C.*

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