

ACT 2004-147

Disclaimer -- Act 147 did not give DPW any official authority to interpret or implement the Act (unlike the MHPA, which did)

I. Voluntary Treatment

A. Outpatient Treatment

Person over 14 can consent to his own mental health treatment. Objection of parent (or guardian) legally irrelevant.

Parent (or guardian) can consent for person ~~over 14 and~~ under 18. Objection by the patient is legally irrelevant.

B. Inpatient Treatment

Same as Outpatient Treatment, except that an objecting parent (or guardian) or patient can obtain judicial review, and judge can terminate inpatient treatment. Standard for judicial review is "best interests," not MHPA Article III "dangerousness."

II. Definition of "Mental Health Treatment"

"Mental Health Treatment" means a course of treatment, including evaluation, diagnosis, therapy and rehabilitation, designed and administered to alleviate an individual's pain and distress and to maximize the probability of recovery from mental illness. The term also includes care and other services which supplement treatment and aid or promote recovery.

Note: The foregoing is based on Act 2004-147 and also Act 1970-10, Article II of the MHPA, 50 P.S. §7201 et seq., and 1 Pa. C.S. §1991 ("minor" is "individual under the age of 21 years")