

## Mid-Columbia Center for Living

### NOTICE OF RIGHT TO MAKE A DECLARATION FOR MENTAL HEALTH TREATMENT

Under Oregon law, individuals have the right to make a written Declaration for Mental Health Treatment.

A Declaration for Mental Health Treatment allows you to make decisions in advance about certain types of mental health treatment: psychoactive medication, short-term (not to exceed 17 days) admission to a treatment facility, convulsive treatment and outpatient services. Outpatient services are mental health services provided by appointment by licensed professionals and programs. The instructions that you include in this declaration will be followed only if a court or two physicians believe that you are incapable of making treatment decisions. Otherwise, you will be considered capable to give or withhold consent for the treatments. Your instructions may be overridden if you are being held pursuant to civil commitment law.

You may also appoint a person as your representative to make treatment decisions for you if you become incapable. The person you appoint has a duty to act consistently with your desires as stated in this document or, if not stated, as otherwise known by the representative. If your representative does not know your desires, he or she must make decisions in your best interests. For the appointment to be effective, the person you appoint must accept the appointment in writing. The person also has the right to withdraw from acting as your representative at any time. A “representative” is also referred to as an “attorney-in-fact” in state law but this person does not need to be an attorney at law.

The Declaration for Mental Health Treatment will continue in effect for a period of three years unless you become incapable of participating in mental health treatment decisions. If this occurs, the directive will continue in effect until you are no longer incapable.

You have the right to revoke the Declaration in whole or in part at any time you have not been determined to be incapable. ***YOU MAY NOT REVOKE A DECLARATION OF MENTAL HEALTH TREATMENT WHEN YOU ARE CONSIDERED INCAPABLE BY A COURT OR TWO PHYSICIANS.*** A revocation is effective when it is communicated to your attending physician or other provider.

If you would like more information regarding a Declaration of Mental Health Treatment, please ask your counselor or case manager to provide this information to you.