

THE MENTAL HEALTH ACT

REGULATIONS
(*under section 21*)

The Mental Health (Public Psychiatric Hospital) (Bellevue Hospital) L.N. 56A/2013
Management Scheme, 2013

REGULATIONS
(*under section 39*)

The Mental Health (Prescribed Forms) Regulations, 2004.

L.N. 31A/2004

THE MENTAL HEALTH ACT

REGULATIONS (under section 21)

THE MENTAL HEALTH (PUBLIC PSYCHIATRIC HOSPITAL) (BELLEVUE HOSPITAL) MANAGEMENT SCHEME, 2013

(Made by the Minister on the 22nd day of March, 2013)

Preliminary

1. These Scheme may be cited as the Mental Health (Public Psychiatric Hospital) (Bellevue Hospital) Management Scheme, 2013. Citation.

2. In this Scheme— Interpretation

“approved chemicals” means—

(a) a chemical specified in the First Schedule; and First Schedule

(b) any other chemical approved for the restraint of violent or potentially violent patients by the Minister, by order published in the *Gazette*, in such dosage as may be specified in the order;

“Board” means the Board of Management of the Public Psychiatric Hospital established by paragraph 3;

“chairman” means the chairman of the Board appointed under paragraph 4 of the Second Schedule; Second
Schedule

“Chief Executive Officer” means the Chief Executive Officer of the Public Psychiatric Hospital appointed pursuant to paragraph 6;

“functions” includes powers and duties;

“member” means a member of the Board;

“midterm” means a period of three to five years;

“Public Psychiatric Hospital” means the Bellevue Hospital;

“security guard” has the meaning assigned to it in the *Private Security Regulation Authority Act*;

“Senior Medical Officer” means the Senior Medical Officer of the Public Psychiatric Hospital appointed pursuant to paragraph 6.

Establishment and Functions of Board

Establishment of
Board.

3.—(1) There is hereby established a Board of Management of the Public Psychiatric Hospital.

Second
Schedule.

(2) The provision of the Second Schedule shall have effect as to the constitution and operations of the Board and otherwise in relation thereto.

Functions of Board.

4.—(1) The functions of the Board shall be—

- (a) take such steps as are necessary for the effective management of the Public Psychiatric Hospital so as to ensure that the best interests of the patients are served; and
- (b) ensure responsible financial management of the Public Psychiatric Hospital and effective and efficient use of the resources of that hospital;
- (c) advise the Minister with regard to any matter directly or indirectly affecting the Public Psychiatric Hospital or the development of the services offered by that hospital; and
- (d) perform such other functions relating to the Public Psychiatric Hospital as may be assigned to it by the Minister or by or under this Act or any other enactment or under these Regulations.

(2) In the performance of the functions set out in sub-paragraph (1), the Board may—

- (a) with the approval of the Minister, make rules for the efficient and proper administration of the Public Psychiatric Hospital;
- (b) develop, implement and monitor strategic operational plans and other plans and programmes relating to the management, modernization and midterm financing of the Public Psychiatric Hospital;
- (c) promote public awareness of the prevention and management of mental disorders;
- (d) on at timely basis, prepare and produce reports designed to promote and contribute to the effective and efficient management and accountability of the Public Psychiatric Hospital;
- (e) equip, maintain and manage the Public Psychiatric Hospital to ensure the efficient delivery of high standard of health service;
- (f) in accordance with any powers as may under the Constitution of Jamaica, from time to time, be delegated to the Board, or otherwise in accordance with Law, appoint persons to the staff of the Public Psychiatric Hospital and remove and exercise disciplinary control over such persons;

- (g) appoint committees consisting wholly or partly of members of the Board and specify the matters to be referred to each committee;
- (h) within the limits of the approved budget, exercise control over such expenditure as may be necessary or expedient for the due performance of any function of the Board; and
- (i) do such things as are, in its opinion, necessary for or conducive to the proper discharge of its functions.

5. The Minister may, after consultation with the chairman, give to the Board such written directions, of a general character, as he thinks fit, as to the policy to be followed by the Board in the performance of its functions, as appear to the Minister to be necessary in the public interest and the Board shall give effect to the directions.

Ministerial
Directions

Administration

6.—(1) Subject to sub-paragraph (2) and paragraph 4(2)(f), the Board shall appoint and employ at such remuneration and subject to such terms and conditions as it thinks fit, a Chief Executive Officer, a Senior Medical Officer, a Secretary and such other officers and employees as the Board deems necessary for the proper carrying out the functions of the Public Psychiatric Hospital.

Appointment of
Chief Executive
Officer and
other officers
and employees.

(2) Except with the prior approval of the Minister, no salary in excess of the prescribed rate shall be assigned to any post and no appointment shall be made to any post to which a salary in excess of the prescribed rate is assigned.

(3) In this regulation, the “prescribed rate” means such rate as the Minister may, by order, prescribe.

7.—(1) The Chief Executive Officer shall be responsible for—

Functions of
Chief Executive
Officer.

- (a) managing the day-to-day operation of the Public Psychiatric Hospital;
- (b) implementing any strategies and programmes for sustaining and improving the health service delivery of the Public Psychiatric Hospital;
- (c) managing the resources of the Public Psychiatric Hospital to ensure the financial viability of that hospital;
- (d) the preparation and submission of financial reports to the Board and to the Minister on a timely basis;
- (e) performing such other duties as may from time to time be specified by the Board.

(2) The Chief Executive Officer shall hold office for a period not exceeding three years and may be re-appointed for periods not exceeding three years at a time.

Functions of
Senior Medical
Officer.

8.—(1) The Senior Medical Officer shall be responsible for—

- (a) developing and implementing the—
 - (i) medical projects and programmes of the Public Psychiatric Hospital;
 - (ii) medical services offered, ensuring that the monitoring and review of mechanisms of such services are effective; and
 - (iii) protocols, including the standard of care and procedures for clinical care; and
- (b) conducting, participating in and providing psychiatric evaluations and assessments as required and to perform any other assigned duties that may be related to the effective delivery of psychiatric services;
- (c) facilitating improvements in health education and training;
- (d) managing the work of the healthcare professionals of the Public Psychiatric Hospital;
- (e) developing and implementing plans to mitigate any threat to the efficient functioning of the Public Psychiatric Hospital by—
 - (i) consulting and collaborating with the Medical Officer of Health to ensure an effective disease surveillance system within the Public Psychiatric Hospital;
 - (ii) being a member of the Disaster Management Committee of the Public Psychiatric Hospital and ensuring the deployment of essential services staff during and in periods of emergency and disaster, including mass casualty incidents;
- (f) fostering the development and implementation of innovations in mental health care by providing leadership in the planning, execution and monitoring of medical and mental health related research and projects at the Public Psychiatric Hospital;
- (g) advising the Board on matters related to the efficient management of the Public Psychiatric Hospital and preparing and submitting reports to the Board and the Minister responsible for health as may be determined, from time to time; and
- (h) performing such other duties as may, from time to time, be specified by the Board.