



# Mental Health (Wales) Measure 2010

2010 nawm 7

## PART 3

### ASSESSMENTS OF FORMER USERS OF SECONDARY MENTAL HEALTH SERVICES

#### *Assessment entitlements*

#### **22 Entitlement to assessment**

- (1) An adult is entitled to an assessment as described in section 25 if—
  - (a) the adult requests either of the local mental health partners for the local authority area in which the adult is usually resident to carry out such an assessment;
  - (b) the adult has been discharged from secondary mental health services (whether or not the services were the responsibility of the local mental health partner to whom the request for an assessment is made);
  - (c) the request is made within the relevant discharge period (see section 23); and
  - (d) the local mental health partner to whom the request is made does not consider the request to be frivolous or vexatious.
- (2) For the purposes of subsection (1)(b), an adult has been discharged from secondary mental health services if the adult was being provided with a secondary mental health service or services but is no longer, for whatever reason, being provided with any secondary mental health service.
- (3) The reference to an adult being discharged from secondary mental health services includes a discharge that occurred when the adult was a child.