



The Right to Refuse Mental Health Treatment

BRUCE J. WINICK

Right To Refuse Mental Health Treatment

L Cohen



Right To Refuse Mental Health Treatment:

Rethinking Rights-Based Mental Health Laws Bernadette McSherry, Penny Weller, 2010-08-16 Mental health laws exist in many countries to regulate the involuntary detention and treatment of individuals with serious mental illnesses Rights based legalism is a term used to describe mental health laws that refer to the rights of individuals with mental illnesses somewhere in their provisions The advent of the United Nations Convention on the Rights of Persons with Disabilities makes it timely to rethink the way in which the rights of individuals to autonomy and liberty are balanced against state interests in protecting individuals from harm to self or others This collection addresses some of the current issues and problems arising from rights based mental health laws The chapters have been grouped in five parts as follows Historical Foundations The International Human Rights Framework and the United Nations Convention on the Rights of Persons with Disabilities Gaps Between Law and Practice Review Processes and the Role of Tribunals Access to Mental Health Services Many of the chapters in this collection emphasise the importance of moving away from the limitations of a negative rights approach to mental health laws towards more positive rights of social participation While the law may not always be the best way through which to alleviate social and personal predicaments legislation is paramount for the functioning of the mental health system The aim of this collection is to encourage the enactment of legal provisions governing treatment detention and care that are workable and conform to international human rights documents

Psychological Evaluations for the Courts, Fourth Edition Gary B. Melton, John Petrila, Norman G. Poythress, Christopher Slobogin, Randy K. Otto, Douglas Mossman, Lois O. Condie, 2017-12-22 Tens of thousands of readers have relied on this leading text and practitioner reference now revised and updated to understand the issues the legal system most commonly asks mental health professionals to address Highly readable the volume demystifies the forensic psychological assessment process and provides guidelines for participating effectively and ethically in legal proceedings Presented are clinical and legal concepts and evidence based assessment procedures pertaining to criminal and civil competencies the insanity defense and related doctrines sentencing civil commitment personal injury claims antidiscrimination laws child custody juvenile justice and other justice related areas Case examples exercises and a glossary facilitate learning 19 sample reports illustrate how to conduct and write up thorough legally admissible evaluations New to This Edition Extensively revised to reflect important legal empirical and clinical developments Increased attention to medical and neuroscientific research New protocols relevant to competence risk assessment child custody and mental injury evaluations Updates on insanity sentencing civil commitment the Americans with Disabilities Act Social Security juvenile and family law and the admissibility of expert testimony Material on immigration law including a sample report and international law New and revised sample reports

Clinical Handbook of Psychiatry & the Law Paul S. Appelbaum, Thomas G. Gutheil, 2007 Thoroughly updated for its Fourth Edition this award winning handbook gives mental health professionals authoritative guidance on how the law affects their clinical practice Each chapter presents

case examples of legal issues that arise in practice clearly explains the governing legal rules their rationale and their clinical impact and offers concrete action guides to navigating clinico legal dilemmas This edition addresses crucial recent developments including new federal rules protecting patients privacy regulations minimizing use of seclusion and restraint liability risks associated with newer psychiatric medications malpractice risks in forensic psychiatry and new structured assessment tools for violence risk suicidality and decisional capacity

Legal Rights and Mental-health Care Stanley S. Herr, Stephen Arons, Richard Edward Wallace, 1983

Law in a Therapeutic Key David B. Wexler, Bruce J. Winick, 1996 Law in a Therapeutic Key is an anthology of works written by authors from a variety of backgrounds This book illustrates some of the best and most provocative new therapeutic jurisprudence work in fields ranging from mental health law to correctional law criminal law family and juvenile law evidence law labor arbitration law and many more A rich compendium of the best of what David Wexler and Bruce Winick have wrought a mature and reflective work and the most comprehensive treatment of the therapeutic paradigm to date John Monahan University of Virginia The crucial insight embedded in these essays is that all law ranging from contracts to criminal law can promote or retard the psychological well being of persons who become involved with the legal system Unless we acknowledge these therapeutic considerations in the law making process we risk fostering individual and therefore societal dysfunction Paul Appelbaum University of Massachusetts Medical Center

Law, Mental Health, and Mental Disorder Bruce Dennis Sales, Daniel W. Shuman, 1996 This exciting book ushers in a new era of mental health law Each of the book's chapters includes the history of law in the area the empirical research on the impact of the law a discussion of therapeutic and nontherapeutic consequences of the law and suggestions for improving law and or mental health practice

Law and the Mental Health System Ralph Reisner, Christopher Slobogin, Arti Rai, 1999

The Right to Refuse Mental Health Treatment Bruce J. Winick, 1997-01-01 The Right to Refuse Mental Health Treatment is the most comprehensive analysis in print of the legal issues raised by involuntary treatment Under our legal system the state has the right to impose mental health treatment on certain people treatment that includes everything from psychotropic medication to shock therapy to psychosurgery This book provides a systematic analysis of the mental health treatment techniques and the constitutional issues implicated by involuntary treatment

The Conflict Over Patients' Rights, 1975

Therapeutic Jurisprudence Applied Bruce J. Winick, 1997 A sensitive policy analysis of law should seek to measure and weigh all of the costs and benefits of legal rules This book suggests ways in which mental health law can be reshaped not only to protect the legal rights of patients but also to improve their mental health A lesson on where and how to focus the therapeutic jurisprudence lens so that the concept generates original and fruitful ideas Thomas Grisso Ph D University of Massachusetts Department of Psychiatry The chapters demonstrate that therapeutic jurisprudence provides a remarkable number of new insights into mental disability law Litigators scholars policy makers and mental disability professionals all owe Professor Winick a tremendous debt for the thoughtful original and provocative work that he has done Michael L Perlin

New York Law School For novices in the field it is an exciting view of a difficult corner of the law For those who have spent their careers in the area this work is both eye opening and rejuvenating Christopher Slobogin University of Florida College of Law

Psychiatric Mental Health Nursing Gertrude K. McFarland, Mary Durand Thomas, 1991 Canada's Mental Health, 1985

Oxford Textbook of Community Mental Health Graham Thornicroft, Robert E. Drake, Oye Gureje, Kim T. Mueser, George Szumukler, 2025-01-03 Community mental health has evolved as a field of practice and as a research discipline during the last 50 years Now newer concepts such as shared decision making the recovery approach evidence based practice implementation science telemedicine and mobile device technology are adding layers of texture to this domain These developments require an ever more sophisticated understanding of the very latest evidence and experience in community mental health care to respond to the values goals needs and preferences of people with lived experience of mental health conditions This second edition of the Oxford Textbook of Community Mental Health addresses recent changes and achievements current controversies and future challenges while emphasizing areas of convergence where social values health medical sciences and policy formation converge and meet This edition also features a new section on global mental health to emphasise what is known about the mental health gap in low and middle income countries and the evidence of how to respond to these huge global challenges Like community mental health care itself the authors are multidisciplinary international and bring both clinical and scientific perspectives to this volume This textbook will be an invaluable and authoritative source of reference for all mental health specialists for people with mental health conditions for staff in non governmental and governmental organisations and indeed for all who are dedicated to creating better mental health services and systems

The Use and Misuse of Psychiatric Drugs in California's Mental Health Programs California. Legislature. Assembly. Office of Research, Daniel Chandler, Andrea Sallychild, 1977

Journal of Psychosocial Nursing and Mental Health Services, 1986

Psychiatric and Mental Health Nursing with Children and Adolescents Patricia West, 1992 In this winner of the 1992 American Journal of Nursing Book of the Year award nursing experts address clinical issues important to nurses working within the specialty of child and adolescent psychiatry and mental health It is an up to date practical guide to diagnosis and intervention

Mental Health Issues and the State Correctional System California. Task Force on Forensic Mental Health Issues, 1988

Psychiatric-mental Health Nursing Barbara Schoen Johnson, 1989

Modern Health Care Law Digest: Miscellaneous matters (HC 6000-6360), 1989

Law and Mental Health David N. Weisstub, 1984

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