



Presidenza del Consiglio dei Ministri

NATIONAL BIOETHICS COMMITTEE

PSYCHIATRY AND MENTAL HEALTH

(24th November 2000)

abstract

The NBC deals with the ethical, professional and social aspects of mental health, paying special attention to the subjects of the care and rights of patients with psychiatric disorders.

The protection of the right to mental health calls into question, on the one hand, the defining of fair treatment and access to health care and on the other, the careful balancing between respect of the patient's rights and safety within society. If the closure of mental asylums has initiated a liberating process, recognising the social inclusion of the mentally ill, it has also given rise to a series of problems owing to the slow process of replacement of the asylums with alternative facilities and home care.

The document draws attention to the radical transformation in the doctor-patient relationship, in substitution of the previous coercive measure; tending to stimulation of the patient towards greater independence: the principle of autonomy gradually being integrated within the traditional model based exclusively on the principle of beneficence. The NBC also deals with the complex question of the intrinsic limitations of informed consent of psychiatric patients, emphasising, in the first place, the progressive and fluctuating nature of the patient's capacity/incapacity to provide valid consent. It also gives considerable emphasis to the fact that those suffering from mental disorders should be secured the same rights as all other members of society - regardless of their capacity to exercise these rights or not - in order to recognise, first and foremost, their full citizenship.

Particular reference is made to the direct responsibility of the institutions in the enforcement of law 180/1978 which should intervene above all on: improved training of psychosocial workers and general practitioner's, rehabilitative facilities providing different levels of protection, greater psychiatric care for minors, increased intervention in early diagnosis, the taking charge of the seriously ill and potentially dangerous who refuse treatment, increased information to fight prejudice towards the mentally ill.

With regard to this, the NBC formulates more specific recommendations for: the allocation and use on behalf of national and regional institutions of the necessary national and regional health funds, in order to establish, at least, all the necessary services; the improvement of awareness through increasing simple and correct information on mental illness; the promotion of periodic and national campaigns in the fight against social stigma and prejudice, the re-examination of the concept of inability to provide consent; the completion of the process of public and private mental asylums; the guarantee of adequate family support; the carrying out of continuous primary and secondary prevention of mental illness and affective disorders; the guarantee that special attention be given to the direct and indirect signs of mental disorders in individuals of developmental age; the guarantee of taking and maintaining charge of serious and difficult cases; the definition of national accreditation parameters for mental health facilities; the involvement and support of family doctors; the guarantee of professional training for physicians, general paediatricians, and psychosocial workers; the recognition of the right of a psychiatric patient to express sexuality; the revising of the pharmaceutical ticket system; the revising of the nature and tasks of the institutions "Judicial Psychiatric Hospitals" and their relevant

legislation; preventing through facilities and appropriate measures of intervention that the psychiatric diagnosis and treatment services risk reiterating the practice of asylums; and ensuring that the Mental Health Department, as established by the recent DGL. 239/99, provides health care services in prisons.

Psychiatric health care is challenged on a daily basis with the high levels of suffering of patients and their families, and should assume responsibility and take charge of the mentally ill, the more serious cases coming first, in order to respect the rights and dignity of those concerned. This involves the work of a multi-professional team operating in a given district, and capable of intervening within twenty four hours at a patient's home, a doctor's surgery, or a hospital; having as its purpose rehabilitation, and being linked to the municipalities and other health care services. In order to provide the mentally ill person with the best possible treatments available, Local Health Authorities, Professional Organizations, and Scientific Societies must guarantee the continuity of training, the verification of the quality of the services provided by all workers and the assessment of the outcomes of treatment.