

## An IMHA's Rights

An IMHA has specific rights under the Mental Health Act for the purpose of providing support to a patient. They have the right to:

- Visit and interview a patient in private
- Visit and interview any person professionally involved with a patient's treatment
- Request and inspect any records which relate to the patient

Where the patient does not have capacity to consent to an IMHA having access to their records, the record holder should:

- Start from the presumption it is likely to be in the patient's best interest to be represented by an IMHA
- Ask the IMHA to explain what information they think is relevant to the support they are providing the patient and why they think it is appropriate for them to be able to see that information

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