

# **PROGRAM and BOOK OF ABSTRACTS**

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## **REFUSAL OF TREATMENT BY A MENTALLY DEFICIENT PERSON**

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A patient's right to consent before receiving medical treatment is a basic ethical principle which applies to all spheres of modern medicine.

In general, psychiatric patients who opt for hospitalization will not be given any type of treatment to which they do not agree, except in cases of emergency. This leads to cases where psychiatrists find themselves unable to provide treatment for unwilling patients.

This presentation focuses on a mentally deficient patient who suffers from acute relapse of paranoid schizophrenia and opts for hospitalization. He doesn't seem to pose a threat to himself or others and after being admitted he doesn't agree to psychopharmacology and reports feeling safe in the closed ward.

It would appear that the patient's refusal would lead the psychiatrist to abstain from what seems to be the right treatment in order to achieve mitigation of the patient's psychosis. Other options may be to prescribe treatment in spite of the patient's objections, to release the patient, or to force him to receive ambulatory treatment.

This presentation deals with the legal aspects of the ethical dilemma according to Israeli law, to general principles of mental health care law formulated by the WHO and to U.N. guidelines for promoting the human rights of persons with mental disorders.

The conclusion may be that there are more legal solutions than one to this dilemma. In this case the psychiatrist must use his judgment as modified by its legal and ethical aspects before making his decision.