Support for British Nationals experiencing mental health difficulties in France

The information contained in this note is intended for your general guidance only, it is not a substitute for obtaining your own medical and legal advice. While all due care has been taken in compiling this information, accuracy cannot be guaranteed and the applicable law and procedures may occasionally change. For these reasons neither Her Majesty’s Government nor any member of the British Consular staff can accept liability for any costs, damages or expenses which might be incurred.

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FCO Consular Support

Whenever possible we will seek your permission before taking any action on your behalf.

We can:
- Listen to you and help you look at your options
- Help you to contact friends and family members if you want to
- Visit you in hospital or prison in line with our usual procedures
- Raise any concerns about your treatment or welfare with the responsible authority (such as a hospital or prison)
- Help overseas medical staff contact medical staff in the UK who may be able to provide advice on your medical history
- Give information about local medication suppliers
- Be available, as appropriate, to offer you assistance if you choose to remain overseas
- Liaise with your travel rep or travel insurance company, if you want us to

We cannot
- Give advice on mental health issues
- Buy or supply medication
- Withhold or remove a passport
- Stop you from travelling abroad
- Require you to return to the UK
- Pay for you to return to the UK
- Pay for food, accommodation or medical bills
- Get you better treatment in hospital or prison than is given to local people
What to do if you need help

If there is an emergency or urgent need for medical attention, you should either:

- call 112 for the emergency services and ask for the police or SAMU or
- go to the emergency ward (les urgences) at any hospital.

For less urgent requirements, the first option as in the UK is to take an appointment with a GP (médecin généraliste), who would make a first assessment, provide some support, signpost you elsewhere if necessary or assist you in going to hospital. You can find GP doctors in France through the French Ministry of Health website http://ameli-direct.ameli.fr/

Most major towns have medical-psychological centres, (CMP - Centre Médico-Psychologique). These centres are linked to a hospital and are specifically for people with a mental health need and who require help. The centres have teams of psychiatrists, psychologists, nurses, social workers and other health workers, and there are centres for adults and for children. In smaller towns, you should approach the local hospital which will make a referral if necessary.

You may also make an appointment with a psychologist (psychologue) or a psychiatrist (psychiatre) in a private practice. Your GP will be able to recommend one, or you can contact one directly.

Repeat or replacement prescriptions

If you are on holiday in France or have moved to France and require a repeat or replacement prescription, you should approach a local pharmacy who will be able to provide advice and will normally be able to provide you with a list of local GPs.

Carrying a copy of your prescription while on holiday, or after your move to France, can help doctors to find the exact or similar medication.

Compulsory hospitalisation

As in the UK, people with mental health needs may be hospitalised and detained without having given their consent, if they are deemed to be a danger to themselves or others. In French this is called soins psychiatriques sans consentement. This is comparable to the UK's "Sectioning" procedure but there are also significant differences in procedure and law.

A compulsory hospitalisation can happen in several ways:

a) A third party can request the hospitalisation. This is called soins psychiatriques à la demande d'un tiers (SPDT). This request can be made by a family member or someone with authority over the person such as a guardian. This can only happen if the mental health of the person concerned means that consent is impossible and if the person is in need of immediate care and constant surveillance.

The request needs to be made in writing, signed and dated. It also needs to include the full name, address and profession of the person requesting the hospitalisation as well as those same details for the person to be hospitalised. The request also needs to include information on the link that exists between each person.
Two doctors’ certificates are normally necessary for this (but in an emergency, one certificate may be sufficient). These certificates must be less than 15 days old and they have to show why the mental health of the person necessitates their hospitalisation.

The director of the hospital informs the courts where the patient is domiciled and where the hospital is based, that the person has been detained.

b) If no competent third party can be located quickly, and if there is a clear and urgent need, a person may still be hospitalised using a process referred to as soins psychiatriques en cas de péril imminent (SPPI). In this case the director of the hospital takes the decision to hospitalise the person based on medical advice given.

When someone is hospitalised in this way, the director has to try to make contact with family or a guardian within 24 hours of admittance. The case is similarly referred to the local courts.

c) The French civil authorities can make a decision to detain someone in hospital. This can happen if the person is a danger to themselves or others or if the person’s behaviour is disturbing the peace. This is called soins psychiatriques sur la décision du représentant de l’État (SPDRE). This is an order that is made by the prefet (or the prefet de police in Paris) although as a temporary measure a mayor can also take on the responsibility. In this case, the mayor’s decision has to be confirmed by the prefet within 24 hours. This measure can only be lifted by the prefet, although he/she will be guided by medical information and advice given by the hospital.

In all three cases, for any planned hospitalisation of over 15 days, the director of the hospital has to refer the case to a magistrate at the local court. This magistrate is a Juge des Libertés et de la Détention and it is his/her role to ensure that the patient’s rights are being respected and that they are being detained for good reason. A medical review of the hospitalisation is also carried out on a regular basis by an independent medical board.

The rules are strict with regards to the timeline of hospitalisation without consent and great emphasis is put on the rights of the patient. The two official documents linked below (in French) have more information on these points.

http://www.sante.gouv.fr/IMG/pdf/Tableau_exHDT_.pdf


Consular staff will not make decisions for you or have influence over the actions of the medical professionals in France.

**Costs of hospitalisation**

Someone requiring mental health care while travelling in France will be able to claim back 80% of the standard cost of an appointment with a GP using their European Health Insurance Card (EHIC). French residents with appropriate cover will be covered by the French health insurance agency (CPAM). The remaining 20% and any surplus to the standard rate that the GP may charge, may be covered by travel insurance or, for residents, top-up health insurance (mutuelle) Costs and cover vary for psychiatrists and psychologists. Make sure you declare any pre-existing conditions to your insurance to ensure your insurance is valid.
An appointment at a CMP is free of charge, although the person is normally asked to produce either a French health card or an EHIC card.

Whether hospitalisation is consensual or at the request of a third person or the State, you will be liable for any hospital costs.

EHIC and CPAM cover for prescribed medicines varies from 0% to 80%, depending on the medicine.

‘Guardianship’

If someone is deemed unable to tend to their daily needs due to poor health of any kind, a Tuteur (legal guardian) might be appointed to look after their interests. The Juge des Tutelles (local French magistrate) will usually try to appoint someone close to the person, a spouse or other family member for example as guardian. Should this not be possible, the Juge des Tutelles will appoint a qualified professional called a Mandataire Judiciaire.

In accordance with the Mental Capacity Act 2005 the French judgment above is not recognised in England or Wales. If the legal guardian needs to manage and look after the ward’s bank accounts in England or Wales, the bank may ask the legal guardian to first formally request recognition of the French judgment by applying to the Court of Protection which covers England and Wales.

To apply to the Court of Protection for the making of a declaration that the French judgment is to be recognised or enforced, you need to:

- use the court forms, COP1, COP1A, FORMCOP3, COP24*
- provide a copy of the French Court order together with a translation of the Order that has been certified by a notary or other qualified person
- provide evidence of accuracy of the translation and
- provide a draft of the order sought from the court.

*The COP forms can be found at [http://hmctsformfinder.justice.gov.uk/HMCTS/GetForms.do?court_forms_category=Court%20of%20Protection](http://hmctsformfinder.justice.gov.uk/HMCTS/GetForms.do?court_forms_category=Court%20of%20Protection)

Return to the UK

Repatriation is possible in many cases and costs would normally be covered by Travel Insurance or personal funds. The French authorities will only organise and fund repatriation if the hospitalisation was at their request (as described in section C above).

Once the medical team or doctors have decided that the patient is able to travel and has have provided written consent, the repatriation can be organised by road or air travel through a medical repatriation company. If the person needs to be hospitalised in the UK, the transfer will be to their local hospital or institution. The hospitals in France and the UK liaise to organise the repatriation and the reception of the patient. This process can take several days and sometimes several weeks.

The means of transport will depend on the doctors’/hospitals’ assessment. This can be by road ambulance, special medical air carriers or on a commercial flight but will almost always
involve 1 or 2 accompaniers who are medical staff. Arrangements are made for the group to be met at the airport upon arrival and for transfer of the person to the designated hospital.
## Support from other agencies and organisations

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<tr>
<th>Organisation</th>
<th>Telephone</th>
<th>Website</th>
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<tr>
<td>French Ministry of Health: Psychiatric hospitals</td>
<td></td>
<td><a href="http://www.hopital.fr/Hopitaux/Espace-Sante-mentale">http://www.hopital.fr/Hopitaux/Espace-Sante-mentale</a></td>
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<tr>
<td>Find a doctor (GPs, psychiatrists and others)</td>
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<td><a href="http://ameli-direct.ameli.fr/">http://ameli-direct.ameli.fr/</a></td>
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<td>NHS</td>
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<td><a href="http://www.nhs.uk/NHSEngland/Healthcareabroad/countryguide/Pages/healthcareinFrance.aspx">http://www.nhs.uk/NHSEngland/Healthcareabroad/countryguide/Pages/healthcareinFrance.aspx</a></td>
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<tr>
<td>Association France Alzheimer Dordogne</td>
<td>09 64 21 40 86</td>
<td><a href="mailto:Alzheimer.dordogne@orange.fr">Alzheimer.dordogne@orange.fr</a></td>
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<tr>
<td>MIND</td>
<td>00 44 300 123 339</td>
<td><a href="http://www.mind.org.uk">www.mind.org.uk</a></td>
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<tr>
<td>Elisabeth Finn Care</td>
<td>04 68 23 43 79</td>
<td><a href="mailto:Mary.hughes@elizabethfinn.org.uk">Mary.hughes@elizabethfinn.org.uk</a></td>
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<tr>
<td>British Charitable Fund</td>
<td>01 47 59 07 69</td>
<td><a href="mailto:britishcharitablefund@orange.fr">britishcharitablefund@orange.fr</a></td>
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<td>Useful terms</td>
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<tr>
<td><strong>BAPU</strong> Bureau d'aide psychologique universitaire.</td>
<td>Provides psychological consultations for university students and pupils in their final school years.</td>
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<td><strong>CAARUD</strong> Centre d’accueil et d’accompagnement à la réduction des risques pour les usagers de drogues.</td>
<td>This is a free and anonymous service, provided for people who have not yet started any treatment programme or who are at great risk due to their methods of drug use.</td>
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<td><strong>CAC</strong> Centre d’accueil et de crise</td>
<td>Provide help for people who are experiencing a mental health crisis.</td>
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<td><strong>CAP</strong> Centre d’accueil permanent</td>
<td>Provide help for people who are experiencing ongoing mental health issues.</td>
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<tr>
<td><strong>CSAPA</strong> Centre de soins d’accompagnement et de prévention en addictologie</td>
<td>Help for people suffering from substance abuse and other addictions e.g. gambling.</td>
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<td><strong>CHRS</strong> centre d’hébergement et de réinsertion Sociale</td>
<td>Hostel accommodation for the homeless and help and advice for reintegration.</td>
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<tr>
<td><strong>CMS</strong> centre médico-social</td>
<td>A centre providing consultations with social workers, doctors, paediatric nurses and midwives.</td>
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<td><strong>CMP</strong> Centre médico-psychologique</td>
<td>A centre linked to a hospital or a clinic specifically for people suffering from a mental health problem and who need help. These centres have teams made up of psychiatrists, psychologists, nurses, social workers and other health workers. There are centres for adults and for children.</td>
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<tr>
<td><strong>CMPP</strong> Centre médico-psychologique pédagogique</td>
<td>Deals with the detection, diagnosis and treatment of psychological and behavioural problems in children and adolescents.</td>
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<td><strong>Tutelle</strong> See page 4.</td>
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<td><strong>Hôpital de jour</strong></td>
<td>Out-patient hospitalisation</td>
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<td><strong>UHSA</strong> Unité hospitalière spécialement aménagée</td>
<td>These units are linked to local prisons.</td>
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<td><strong>UMD</strong> unité pour malades difficiles</td>
<td>A unit for patients who are hospitalised by the State and are a danger to themselves and/or others to an extent that need special care and higher security for their own safety and that of the hospital staff. When their situation has stabilised, patients will return to their original hospital.</td>
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