

*Mental Health Review Board*

**Board Members**

*Roster of Lawyers*

Ellen Fleishman, Winnipeg  
Jacob Janzen, Brandon  
Bill Sumerlus, Winnipeg  
Christopher Debicki, Winnipeg  
Ms. Gerri Wiebe, Winnipeg  
Marshall Braunstein, Winnipeg  
Lyle Smordin, Winnipeg  
Hafeez Khan, Winnipeg (bil.)

*Roster of Psychiatrists*

Dr. Samia Barakat, Winnipeg  
Dr. Michael Dyck, Winnipeg  
Dr. Frances Edye, Winnipeg  
Dr. Keith Hildahl, Winnipeg  
Dr. Marc Teillet, Winnipeg  
Dr. Pat Wightman, Winnipeg  
Dr. Stanley Yaren, Winnipeg  
Dr. Maralyn MacKay, Selkirk  
Dr. Hazel Wiebe, Winkler  
Dr. Joseph Polimeni, Winnipeg  
Dr. Jack Kettler, Winnipeg  
Dr. Michael Eleff, Winnipeg  
Dr. Murray Enns, Winnipeg  
Dr. Mark Lander, Winnipeg

*Roster of Laypersons*

Teresa Banman, Steinbach  
Annette Osted, Winnipeg (bil.)  
John Gow, Winnipeg  
Ms. Tejinder Bains, Winnipeg  
Margaret Nighswander, Winnipeg  
Velma Kreshewski, Rosburn  
Ganpat Lodha, Winnipeg  
Brenda Thibeault, Winnipeg

**Mandate:**

The Mental Health Review Board is a quasi-judicial body and administrative tribunal established under *The Mental Health Act*. The Board hears appeals regarding specific aspects of the admission or treatment of a patient in a psychiatric facility. Legislation also requires that there be automatic reviews of all long term involuntary patients and patients on extended leave certificates.

**Responsibilities:**

The Board conducts hearings within 21 days from receiving an application with respect to a patient in a psychiatric facility. At the hearing, the issues that could be reviewed include whether or not:

- the patient should be involuntary;
- the patient is mentally competent to make treatment decisions;
- the facility should comply with wishes that the patient expressed in a health care directive when administering treatment;
- the patient is competent to manage property;
- there should be an extension to the patient's leave certificate;
- there should be a cancellation of the patient's leave certificate;
- specified treatment should be given to the patient; and
- all or part of the patient's clinical record should be withheld from the patient.

**Membership:**

Members of the Board are appointed to a roster of psychiatrists, lawyers, or community members (persons who are not psychiatrists or lawyers).

For each hearing, the Review Board must sit in panels of three members and each panel is to be composed of

- a lawyer who is to be chairperson of the panel;
- a psychiatrist; and
- a community member.

A member of the Review Board is not eligible to sit on a panel of the Review Board for an application relating to a person if he or she

- is the person's spouse;
- is the person's common-law partner;
- is related to the person by blood or marriage;
- is connected to the person by common-law relationship;
- is a psychiatrist or physician who is treating or has treated the person;
- is an officer, employee or staff member of the facility in which the person is being treated;
- is a lawyer who is acting for or has acted for the person or for the facility in which the person is being treated;
- is a member of a law firm who is acting for the person or for the facility in which the person is being treated; or
- is a lawyer who is acting for or has acted for a party opposite in interest to the person in any proceeding in which the person was a party.

**Length of Terms:***Lawyers & Community Members:*

Members will be appointed to hold office for a term not to exceed 3 years and continues to serve until reappointed, revoked or a successor is appointed. Members may hold office for 10 consecutive years.

*Psychiatrists:*

Due to the challenges of recruiting psychiatrist members to the Board, a member shall be appointed to hold office and shall continue to hold office until the appointment is revoked.

**Desirable Expertise:**

- Interest in health, particularly mental health;
- Excellent listening and communication skills are required, along with the ability to participate in hearings, and arrive at and articulate a fair and unbiased decision based on the facts;
- Common sense and demonstrated empathy;
- Community members should bring a community perspective to the proceedings and must not be a lawyer or psychiatrist;
- Lawyers preside over the hearings and draft the reasons for decision. Ten years' experience with involvement in either judicial or administrative tribunals preferred.

**Time commitment:**

Panels for hearings are scheduled on a four month rotation for Wednesday mornings and Thursday afternoons. Members are asked to submit their names for at least 12 time slots per year based on their availability.

There is one annual meeting held for all members and one additional annual meeting for the lawyers appointed to the Board.

Each new Board member is required to undertake one full day of training plus additional training as required from time to time.

**Meetings:**

An application from a patient, attending psychiatrist or medical director initiates the need for a hearing. The hearing must be held within 21 days from receiving the application and is scheduled for a Wednesday morning or Thursday afternoon. Hearings may also be scheduled outside of the regular hearing schedule if the need arises and members are then selected based on their availability at the time. The Board office will attempt to provide at least two days' notice to board members who are not required for a scheduled hearing date. Hearings are held in person in Winnipeg, Selkirk, Winkler and Brandon and by video conference with Dauphin, The Pas and Thompson.

**Remuneration:**

The remuneration to be paid to the members of the Review Board is:

*Lawyers/Chair*

- \$80.00 per hour, or \$280.00 per half day (up to 3.5 hours), or \$550.00 per full day.

*Community Members*

- \$60.00 per hour, or \$210.00 per half day (up to 3.5 hours), or \$425.00 per full day.

*Psychiatrists*

- Paid based on speciality and location of service at the sessional rates established for medical practitioners under the Sessional Rates for Services Regulation, made under The Health Services Insurance Act, as amended from time to time.

In addition to remuneration, the members of the Review Board are to be reimbursed for reasonable out-of-pocket expenses incurred in carrying out their responsibilities, as provided in the General Manual of Administration for the Province of Manitoba.