

seeking help for cannabis use problems: your rights as a client

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This factsheet covers a range of issues that you need to be aware of when seeking help for cannabis use problems. Knowing your rights, as well as the responsibilities of your health professional, will help you make informed decisions about your care.

how can I find appropriate help?

Finding the right help that meets your individual needs and treatment goals is extremely important. It may be necessary to try a few different options and treatment styles before deciding which one works for you.

A General Practitioner (GP) is a good place to start when seeking help. A GP can help you if you are experiencing cannabis use problems either by providing treatment themselves, giving advice about available community organisations/services, or by writing a referral for an appropriate specialist (e.g. clinical psychologist). Importantly, it is often necessary to have a referral from a GP in order to receive treatment from a specialist. Not all health professionals require a referral from a GP. When you know who you want to see for help, you should call and ask about the need for a referral before seeking out a GP.

There are a number of different ways to find a GP near you:

- search an online database (e.g. beyondblue directory of medical and allied health professionals)
- search in a local directory or phonebook
- ask a friend for a recommendation
- consult a doctor you have seen before (e.g. your family doctor)
- go to a local medical centre

To see a doctor privately an appointment is usually necessary. You will need to provide contact details when making an appointment, however no other information about your reasons for making the appointment needs to be provided prior to attending. Local medical centres do not always require appointments but calling in advance to check is recommended.

what can I expect when seeing a health professional?

Health professionals (i.e. GPs, clinical psychologists, psychiatrists, social workers, etc.) have different expertise and varying amounts of exposure to professional development regarding the treatment of cannabis and other drug use problems. This means that each health professional you meet may not have access to the same information and resources and, as a result, each may give you different advice and treatment. Regardless of these potential differences, you have a right to receive the following important information and treatment when first meeting with your health professional. These include being:

- provided with good quality and appropriate treatment
- treated with respect and courtesy (i.e., non-judgemental)
- given enough information to provide informed consent (see below for more details)
- given confidential care and an explanation of its bounds, or how far this confidentiality can stretch (see below for more details)

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To make sure you know what to expect from a health professional, in terms of the treatment they may provide you, you should ask them about their training history (specifically in cannabis and other drug use problems), specific qualifications and different services they may be able to offer. Obtaining such information will help you make a good decision about whether or not a health professional is right for you.

what is confidentiality/confidential care?

Confidentiality refers to your right to have your personal details (including psychological and physical health information) that are obtained by a health professional during a consultation, kept private. All health professionals are required to ensure the maintenance of their patients'/clients' confidentiality.

There are a number of circumstances where a health professional is obligated by law and professional ethical guidelines to break confidentiality. In all other situations permission from the patient/client is needed before health professionals can break confidentiality.

Situations where a health professional will need to break confidentiality include:

- requirements of law (e.g. if subpoenaed by a court)
- mandatory reporting for children at risk
- when a serious or imminent threat to the life and health of any person is obvious, including you
- communications between health professionals within an organisation to make sure your treatment is effective

Confidentiality is extremely important and health professionals working in a number of different areas work to maintain your confidentiality to make sure that you feel free to communicate openly and honestly when seeking help. Providing detailed and honest information is vital to enable the effective development of a treatment plan tailored specifically for you.

what about confidentiality and cannabis use?

In general, a health professional is not required to report illegal drug use. In addition, knowledge of drug use or drug possession for personal use is not an offence that requires mandatory reporting and a health professional has no legal rights to confiscate illegal drugs. Therefore, you can expect that information you give a health professional about cannabis use problems or any other drug use is kept private under the principle of confidentiality.

There are some special circumstances relating to drug use (in addition to those exceptions described above) that require a health professional to break confidentiality. A health professional may be required to report any involvement an individual may have with drug dealing, trafficking or distribution of illegal substances. In addition, if the person being treated is a health professional themselves, the health professional treating them may be required to report their drug use under the principle of notifiable conduct (for more information consult the Health Care Complaints Commission). The specific requirements for reporting in these circumstances may differ according to health profession, individual health services/organisations and state legal systems. It is important to make clear the mandatory reporting requirements of any health professional before a health professional themselves, begins treatment.

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what is informed consent?

Informed consent means your right to be given enough information to allow you to make a well thought-out decision about your treatment. You should have the chance to give informed consent before you begin treatment and also have this consent revised throughout treatment. The following information should be given to you to make sure you are able to give informed consent:

- the type of service and purpose of your treatment
- potential benefits and risks associated with treatment
- different treatment options available to you
- professional obligations of your health care professional (including limits of confidentiality)
- how long your treatment is expected to last
- how much your treatment will cost

While it is the health professional's responsibility to provide the above information, you should feel free to ask questions to make sure you understand your treatment and receive any further information you want to know. You should not be expected to consent without a thorough understanding of your treatment and what you can expect during the process.

is confidentiality and informed consent different for young people (i.e. adolescents)?

Under Australian law any person 18 years or older is considered an adult and is automatically entitled to confidential care.

Young people (under the age of 18) are also entitled to confidential care, however, there are a number of requirements that must be met. Most importantly, a health professional can only provide help to a young person if informed consent (as above) has been given. If a young person is not capable of providing consent (as decided by the health professional) a parent/guardian may be contacted and confidentiality broken. In general, this will be done in consultation with the young person. In addition, health professionals may be required to break confidentiality as described in the special circumstances earlier.

Medicare

Medicare is a service run by the Australian Government which provides eligible Australians with accessible and affordable health care. Medicare provides financial assistance for a variety of treatment options including services provided by GPs, psychologists, psychiatrists and appropriately trained social workers. To be eligible for Medicare you must:

- be an Australian or New Zealand citizen
- have permanent residency
- have applied for permanent residency and meet certain other criteria
- be covered by a reciprocal Health Care Agreement

Young people will often be on a family Medicare card. All individuals 15 years or older are eligible to apply for an individual card and can claim Medicare rebates independently.

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Importantly, Medicare will not cover all costs associated with healthcare and you will be responsible for paying the gap between the fee a health professional charges and what Medicare covers. The amount allocated by Medicare to subsidise a treatment largely depends on the type of health professional being seen. More information about all costs associated with treatment and available Medicare provisions should be made in consultation with the health professional before beginning treatment.

Medicare benefits can be claimed directly through the health professional's surgery, via bulk billing, or directly through Medicare offices. The method for claiming benefits will depend on the organisation or service being provided and how to claim benefits should be made clear to you before you consent to treatment.

To apply for Medicare or for more information visit www.medicareaustralia.gov.au

For more information please see the factsheet "[treatment for cannabis use problems](#)" and our "[treatment](#)" page.

NCPIC runs a confidential helpline, free of charge, where people can receive advice, information, support and referrals. Call the [Cannabis Information and Helpline](#) on 1800 3040 50.

An online program to help people cut down or quit cannabis is also available. Visit [Reduce Your Use](#) to take part in this confidential program.

Mindhealthconnect

Mindhealthconnect is a new portal which aims to provide Australians living with mental illness, and their carers, greater access to online mental health services, information and support. The website acts as a trusted gateway, to help people navigate their way through the abundance of mental health information available online, and facilitates access to appropriate, high quality services. This enables consumers to make informed choices about services appropriate for their needs. [Mindhealthconnect](#) was developed by the National Health Call Centre Network with advice from the Department of Health and Ageing e-Mental Health Expert Advisory Group.

Please note that the information given on this factsheet does not constitute legal advice and should not be relied upon in this way. The information is correct at the time of publication. All efforts will be made to maintain the validity of the information however people wanting legal advice in regards to issues such as confidentiality and consent should consult a lawyer.