

LAW OF GEORGIA
ON PSYCHOLOGICAL NEEDS ASSESSMENT

Article 1

This Law determines the legal, economic and organisational grounds for an obligatory examination (‘the Assessment) in order to identify a person as a person with psychosocial needs.

Article 2

The legislation of Georgia, in the field of psychosocial assessment, consists of the Constitution of Georgia, the international agreements and treaties of Georgia, this Law and other normative acts.

Article 3

For the purposes of this Law, the terms used herein shall have the following meaning:

- a) Psychiatrist – a person who holds a state certificate in the respective medical specialty;
- b) Psychologist – a person who has been granted the qualification of a psychologist in the manner laid down by Georgian legislation;
- c) Social worker – a person who is specially authorised by the guardianship and custody authority;
- d) Occupational therapist – a person who has been granted the qualification of an occupational therapist in the manner laid down by Georgian legislation;
- e) Person with psychosocial needs – a person whose status of a person with psychosocial needs is reviewed according to the Civil Procedure Code of Georgia;
- f) Bureau – the Legal Entity under Public Law called Levan Samkharauli National Forensics Bureau;
- g) Positive conclusion – a conclusion that confirms those mental and intellectual disabilities of a person that, in the case of interaction with various obstacles, might hinder the person’s full and effective participation in social life on equal terms with others.
- h) Negative conclusion – a conclusion that does not confirm those mental and intellectual disabilities of a person that, in the case of interaction with various obstacles, might hinder the person’s full and effective participation in social life on equal terms with others.

Article 4

1. A psychosocial needs assessment is an interdisciplinary activity that includes the assessment of medical, psychiatric, functional, psychological, and social adaptation and other aspects.
2. The main objective of a psychosocial needs assessment is to define the degree of mental and/or intellectual disability of persons, to assess their social adaptation and, based on this assessment, to determine the special characteristics of their support.

Article 5

The basis of conducting a psychosocial needs assessment is the comprehensive assessment of psychiatric, social, domestic, professional, occupational and psychological data on a person.

Article 6

The Bureau shall reach a conclusion on issues related to a psychosocial needs assessment.

Article 7

In order to conduct a psychosocial needs assessment, a multidisciplinary group of four members shall be set up in the Bureau. This group shall consist of a psychiatrist, a psychologist, a social worker and an occupational therapist (or a person who treats persons with psychosocial needs related to physical, mental or social issues, by selecting specific activities).



Article 8

The Ministry of Labour, Health and Social Affairs of Georgia shall develop and approve procedures for conducting a psychosocial needs assessment.

Article 9

1. If necessary, the Bureau shall have the right to invite other appropriate specialists to participate in the process of a psychosocial needs assessment conducted by the multidisciplinary group.
2. The conclusion reached by the specialist referred to in paragraph 1 of this article shall be recommendatory for the multidisciplinary group.

Article 10

1. Each member of the multidisciplinary group shall separately assess a person's ability to make a decision without support in the field determined by the court's decision.
2. The multidisciplinary group shall:
 - a) establish the degree of mental and intellectual disability of a person;
 - b) establish the degree of limitation of a person's actions and his/her participation in social life;
 - c) assess a person's interaction with the environment;
 - d) establish the degree of a person's social adaptation;
 - e) assess the possibility of improvement or deterioration of a person's condition;
 - f) answer the questions asked in the application of the court;
 - g) determine whether or not a person needs support in the field stated in the application;
 - h) if the assessment reveals that the person needs support in a field other than the one stated in the application, indicate the relevant field;
 - i) examine and determine any other issues that are required for a proper assessment.

Article 11

1. The Bureau shall have the right, if necessary, to request appropriate data, certificates from medical facilities, enterprises and organisations regardless of their organisational and/or legal form.
2. The facilities, enterprises and organisations specified in paragraph 1 of this article shall be obliged to provide the information requested by the Bureau.

Article 12

If a person with psychosocial needs is unable to appear in the Bureau because of a health condition, the person shall be examined in a hospital or at his/her place of residence.

Article 13

1. After the assessment, the multidisciplinary group shall issue a positive or a negative conclusion.
2. It is prohibited to issue a positive conclusion based only on a diagnosis that confirms the mental and/or intellectual disability of a person.
3. A conclusion must be reasoned. It must indicate all the actions performed by the multidisciplinary group during the examination.
4. A positive conclusion must indicate a period recommended by the multidisciplinary group for a review of the court decision.
5. A psychosocial needs assessment shall be conducted within a month after the application of the court.
6. The multidisciplinary group shall make a decision by a majority vote.
7. A member of the multidisciplinary group may not abstain from voting.
8. In the case of a tie during the decision-making process by the multidisciplinary group, the court shall assess the conclusion.



9. A member of the multidisciplinary group who holds a dissenting opinion shall be obliged to attach the opinion in written form to the conclusion.

Article 14

The Ministry of Labour, Health and Social Affairs of Georgia shall, before 1 June 2015, approve the procedures and standards for conducting psychosocial needs assessments.

Article 15

1. This Law, except for Articles 1-13, shall enter into force upon promulgation.
2. Articles 1-13 of this Law shall enter into force from 1 June 2015.

President of Georgia

Giorgi Margvelashvili

Kutaisi

20 March 2015

No 3342-III

