



Trench & Associates DMCC

Legal Consultants

Dubai

Overview of UAE's New Federal Mental Health Law

By Helen de Oliveira Carvalho

The UAE has introduced a new Federal Mental Health Law, which came into effect from May 30, 2024.

This new Mental Health Law is focused on managing the treatment and protecting the rights of psychiatric patients.

It also affects how employers and employees deal with mental health issues. Here are the key points:

1. To whom the Law Applies

The Mental Health Law applies to people with mental health issues that affect their thinking, mood, behavior, perception, memory, or other mental abilities. These issues must significantly impact their social life, work, or education, or cause them mental suffering. Each Emirate will have a committee to monitor and protect patient rights.

2. Employers' Responsibilities

Protection from Termination Employers cannot terminate or restrict the work of an employee just because they have a mental disorder, unless a specialized medical committee supports this decision. This rule changes how employers can handle employment and mental health issues, raising questions about how it fits with current UAE labour laws.

Right to Privacy Employers must keep an employee's mental health information confidential, protecting their privacy and dignity at work.

Workplace Considerations

- **Training and Support:** Employers should train employees about mental health, reduce stigma, and create a supportive work environment.
- **Reasonable Accommodations:** Employers should consider flexible work arrangements, adjusted job duties, or access to mental health resources for employees with mental health conditions.
- **Employee Assistance Programs (EAPs):** Companies should enhance or establish programs that provide confidential counseling and mental health support.

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- **Compliance Monitoring:** HR should regularly check that the company follows the Mental Health Law through audits and policy reviews.
- **Policy Reviews:** Employers should seek legal advice to ensure their policies comply with the new Mental Health Law and best practices.

3. Penalties for Violations

Violating the Mental Health Law can lead to imprisonment and fines between AED 50,000 to AED 200,000. Effective enforcement depends on upcoming regulations, expected within a year. These regulations will provide detailed guidelines on:

- Reporting and investigating violations.
- Determining penalties based on severity and circumstances.
- Appealing and reviewing penalties.
- Monitoring and reporting compliance.

4. Broader Implications

The new Mental Health Law also addresses healthcare aspects like:

- Patient rights in accessing mental health services.
- Establishing committees to advocate for patient welfare.
- Guidelines for admission to mental health facilities.
- Providing outpatient therapeutic care.

Healthcare professionals, facilities, and employers need to understand this new law to ensure compliance and protect patient rights.

The new Mental Health Law is significant in improving legal and ethical standards related to mental health care and employment in the UAE.

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