

# HOUSE BILL No. 5696

June 1, 1988, Introduced by Rep. Hunter and referred to the Committee on Social Services and Youth.

A bill to amend section 498d of Act No. 258 of the Public Acts of 1974, entitled as amended

"Mental health code,"

as added by Act No. 186 of the Public Acts of 1984, being section 330.1498d of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 498d of Act No. 258 of the Public Acts  
2 of 1974, as added by Act No. 186 of the Public Acts of 1984,  
3 being section 330.1498d of the Michigan Compiled Laws, is amended  
4 to read as follows:

5       Sec. 498d. (1) Subject to section 498e and except as other-  
6 wise provided in this chapter, a minor of any age may be hospi-  
7 talized if both of the following conditions are met:

8       (a) The minor's parent, guardian, or a person acting in loco  
9 parentis for the minor or, pursuant to subsection (2), the

1 ~~department of social~~ CHILDREN AND FAMILY services AGENCY

2 requests hospitalization of the minor pursuant to this chapter.

3 (b) The minor is found to be suitable for hospitalization.

4 (2) The ~~department of social~~ CHILDREN AND FAMILY services  
5 AGENCY may request hospitalization of a minor who is 1 of the  
6 following:

7 (a) Committed to the ~~department of social~~ CHILDREN AND  
8 FAMILY services AGENCY pursuant to Act No. 220 of the Public Acts  
9 of 1935, being sections 400.201 to 400.214 of the Michigan  
10 Compiled Laws.

11 (b) A ward of the court pursuant to Act No. 288 of the  
12 Public Acts of 1939, being sections 710.21 to 712A.28 of the  
13 Michigan Compiled Laws, if the ~~department of social~~ CHILDREN  
14 AND FAMILY services AGENCY is specifically empowered to do so by  
15 an order of the court.

16 (c) Committed to the ~~department of social~~ CHILDREN AND  
17 FAMILY services AGENCY as described in section 2 of the youth  
18 rehabilitation services act, Act No. 150 of the Public Acts of  
19 1974, being section 803.302 of the Michigan Compiled Laws, except  
20 that if the minor is residing with his or her custodial parent,  
21 the consent of the custodial parent shall be required.

22 (3) Subject to sections 498e, 498f, and 498j, a minor 14  
23 years of age or older may be hospitalized if both of the follow-  
24 ing conditions are met:

25 (a) The minor requests hospitalization pursuant to this  
26 chapter.

1 (b) The minor is found to be suitable for hospitalization.

2 (4) In making the determination of suitability for  
3 hospitalization, emotional disturbance of a minor shall not be  
4 determined solely on the basis of 1 or more of the following  
5 conditions:

6 (a) Epilepsy.

7 (b) Developmental disabilities as defined in section 500.

8 (c) Brief periods of intoxication caused by substances such  
9 as alcohol or drugs or by dependence upon or addiction to those  
10 substances.

11 (d) Juvenile offenses, including school truancy, home truan-  
12 cy, or incorrigibility.

13 (e) Sexual activity.

14 (f) Religious activity or beliefs.

15 (g) Political activity or beliefs.

16 Section 2. This amendatory act shall not take effect unless  
17 all of the following bills of the 84th Legislature are enacted  
18 into law:

19 (a) Senate Bill No. \_\_\_\_ or House Bill No. 5688 (request  
20 no. 02319'87).

21 (b) Senate Bill No. \_\_\_\_ or House Bill No. 5692 (request  
22 no. 02319'87 a).

23 (c) Senate Bill No. \_\_\_\_ or House Bill No. 5693 (request  
24 no. 02319'87 b).

25 (d) Senate Bill No. \_\_\_\_ or House Bill No. 5694 (request  
26 no. 02319'87 c).

1 (e) Senate Bill No. \_\_\_\_\_ or House Bill No. 5695 (request  
2 no. 02319'87 d).

3 (f) Senate Bill No. \_\_\_\_\_ or House Bill No. 5697 (request  
4 no. 02319'87 f).

5 (g) Senate Bill No. \_\_\_\_\_ or House Bill No. 5698 (request  
6 no. 02319'87 g).

7 (h) Senate Bill No. \_\_\_\_\_ or House Bill No. 5699 (request  
8 no. 02319'87 h).

9 (i) Senate Bill No. \_\_\_\_\_ or House Bill No. 5700 (request  
10 no. 02319'87 i).

11 (j) Senate Bill No. \_\_\_\_\_ or House Bill No. 5701 (request  
12 no. 02319'87 j).

13 (k) Senate Bill No. \_\_\_\_\_ or House Bill No. 5702 (request  
14 no. 02319'87 k).

15 (l) Senate Bill No. \_\_\_\_\_ or House Bill No. 5703 (request  
16 no. 02319'87 l).

17 (m) Senate Bill No. \_\_\_\_\_ or House Bill No. 5704 (request  
18 no. 02319'87 m).

19 (n) Senate Bill No. \_\_\_\_\_ or House Bill No. 5705 (request  
20 no. 02319'87 n).

21 (o) Senate Bill No. \_\_\_\_\_ or House Bill No. 5706 (request  
22 no. 02319'87 o).

23 (p) Senate Bill No. \_\_\_\_\_ or House Bill No. 5707 (request  
24 no. 02319'87 p).

25 (q) Senate Bill No. \_\_\_\_\_ or House Bill No. 5708 (request  
26 no. 02319'87 q).

1 (r) Senate Bill No. \_\_\_\_\_ or House Bill No. 5709 (request  
2 no. 02319'87 r).

3 Section 3. This amendatory act shall take effect October 1,  
4 1988.