



**Complete to 5-2-91**

**A SUMMARY OF HOUSE BILL 4486 AS INTRODUCED 3-6-91**

The bill would amend the Mental Health Code to put certain restrictions on admitting minors to hospitals for psychiatric treatment.

Examination by child psychiatrist. Currently, the Mental Health Code requires that children under the age of eighteen who are admitted to hospitals for mental health services be examined by a child psychiatrist within 48 hours of admission. The bill would require that if the exam were not done within 48 hours of admission, the director of the hospital would have to release the minor without a hearing. It also would require that in cases of emergency admissions, the examining child psychiatrist could not be one who was employed by the hospital.

When a minor objects to admission. The code also contains a section listing people entitled to object legally to the hospitalization of a minor (which includes the minor, if he or she is at least 14 years old; a person found suitable by the court; the minor's parent, guardian, or a person in loco parentis; or, in an emergency admission, a peace officer) and the form such objections must take. In addition, the code requires that if a hospitalized minor tells a hospital employee that he or she wants to object to hospitalization, the employee has to help the minor to submit the proper legal objection. The bill would require that when a minor was admitted to a hospital under the code, he or she be notified of the right to object to hospitalization, and that when a minor told a hospital employee that he or she wanted to object to admission the employee help the minor within 72 hours of expressing this desire to object.

The bill also would require that copies of the minor's desire to file an objection to his or her hospitalization be made part of his or her permanent medical record and, within seven days, be sent to the Michigan Protection and Advocacy Services (the organization designated by the state to meet federal requirements for a protection and advocacy service for mentally ill people).

Finally, the bill would make a minor's objection to hospitalization effective until after the hearing required under the code, unless the minor and his or her attorney signed a written waiver of the hearing and filed it with the court.

MCL 330.1498g and 330.1498m