

SENATE BILL No. 408

July 11, 1991, Introduced by Senators DINGELL and
WELBORN and referred to the Committee on Family
Law, Criminal Law, and Corrections.

A bill to amend Act No. 258 of the Public Acts of 1974,
entitled as amended
"Mental health code,"
as amended, being sections 330.1001 to 330.2106 of the Michigan
Compiled Laws, by adding section 477a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 258 of the Public Acts of 1974, as
2 amended, being sections 330.1001 to 330.2106 of the Michigan
3 Compiled Laws, is amended by adding section 477a to read as
4 follows:

5 SEC. 477A. (1) UPON ENTRY OF A COURT ORDER DIRECTING THAT
6 AN INDIVIDUAL BE INVOLUNTARILY HOSPITALIZED OR THAT AN INDIVIDUAL
7 INVOLUNTARILY UNDERGO A PROGRAM OF ALTERNATIVE TREATMENT OR A
8 PROGRAM OF COMBINED HOSPITALIZATION AND ALTERNATIVE TREATMENT,
9 THE COURT SHALL IMMEDIATELY FILE A REPORT WITH THE DEPARTMENT

1 THAT CONTAINS THE NAME OF THE INDIVIDUAL AND OTHER INFORMATION
2 CONCERNING THE INDIVIDUAL'S COMMITMENT THAT THE DEPARTMENT CON-
3 SIDERS NECESSARY.

4 (2) UPON ENTRY OF A COURT ORDER DIRECTING THAT AN INDIVIDUAL
5 WHO IS INVOLUNTARILY HOSPITALIZED BE DISCHARGED OR AN INDIVIDUAL
6 WHO IS INVOLUNTARILY UNDERGOING A PROGRAM OF ALTERNATIVE TREAT-
7 MENT OR A PROGRAM OF COMBINED HOSPITALIZATION AND ALTERNATIVE
8 TREATMENT HAVE THAT TREATMENT TERMINATED, THE COURT SHALL IMMEDI-
9 ATELY FILE A REPORT WITH THE DEPARTMENT THAT CONTAINS THE NAME OF
10 THE INDIVIDUAL AND OTHER INFORMATION CONCERNING THE INDIVIDUAL'S
11 DISCHARGE OR TERMINATION OF TREATMENT THAT THE DEPARTMENT CONSID-
12 ERS NECESSARY.

13 (3) UPON RECEIPT OF NOTIFICATION FROM A DIRECTOR UNDER SEC-
14 TION 476 THAT AN INDIVIDUAL WHO WAS INVOLUNTARILY HOSPITALIZED
15 HAS BEEN DISCHARGED, OR FROM A PROVIDER OF TREATMENT UNDER SEC-
16 TION 477 THAT AN INDIVIDUAL WHO WAS INVOLUNTARILY UNDERGOING A
17 PROGRAM OF ALTERNATIVE TREATMENT OR A PROGRAM OF COMBINED HOSPI-
18 TALIZATION AND ALTERNATIVE TREATMENT HAS BEEN TERMINATED FROM THE
19 TREATMENT PROGRAM, THE COURT SHALL IMMEDIATELY FILE A REPORT WITH
20 THE DEPARTMENT THAT CONTAINS THE NAME OF THE INDIVIDUAL AND OTHER
21 INFORMATION CONCERNING THE INDIVIDUAL'S TERMINATION OF TREATMENT
22 THAT THE DEPARTMENT CONSIDERS NECESSARY.

23 (4) BEFORE THE EXPIRATION OF 1 YEAR AFTER THE EFFECTIVE DATE
24 OF THIS SECTION, THE COURT SHALL EXAMINE ITS RECORDS FOR THE TIME
25 PERIOD BETWEEN JANUARY 1, 1930 AND THE EFFECTIVE DATE OF THIS
26 SECTION AND FILE A REPORT WITH THE DEPARTMENT OF MENTAL HEALTH
27 UNDER SUBSECTION (1), (2), OR (3), AS APPLICABLE, FOR EACH

1 INDIVIDUAL THE COURT WOULD HAVE FILED A REPORT FOR UNDER
2 SUBSECTION (1), (2), OR (3), AS APPLICABLE, IF THIS SECTION HAD
3 BEEN IN EFFECT DURING THAT TIME PERIOD.

4 (5) THE DEPARTMENT SHALL USE THE INFORMATION OBTAINED FROM A
5 REPORT FILED WITH THE DEPARTMENT UNDER SUBSECTION (1), (2), OR
6 (3) AS PROVIDED IN SECTION 2B OF ACT NO. 372 OF THE PUBLIC ACTS
7 OF 1927, BEING SECTION 28.422B OF THE MICHIGAN COMPILED LAWS.

8 (6) A REPORT FILED WITH THE DEPARTMENT UNDER SUBSECTION (1),
9 (2), OR (3) SHALL BE ON A FORM PRESCRIBED BY THE DEPARTMENT AND
10 APPROVED BY THE STATE COURT ADMINISTRATOR.

11 Section 2. This amendatory act shall not take effect unless
12 Senate Bill No. 407
13 of the 86th Legislature is enacted into law.