



HOUSE BILL No. 4032

February 2, 1993, Introduced by Rep. Gubow and referred to the Committee on Mental Health.

A bill to amend section 209d of Act No. 258 of the Public Acts of 1974, entitled as amended "Mental health code," as added by Act No. 409 of the Public Acts of 1980, being section 330.1209d of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 209d of Act No. 258 of the Public Acts
2 of 1974, as added by Act No. 409 of the Public Acts of 1980,
3 being section 330.1209d of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 209d. (1) Each county program regularly shall review
6 the appropriateness of programs, treatment, and community serv-
7 ices rendered to individuals in community settings and shall
8 ensure that appropriate services are received pursuant to the
9 standards of the department. THE COUNTY PROGRAM SHALL CONDUCT A

1 REVIEW OF THE PROFESSIONAL PRACTICES IN THE COUNTY PROGRAM FOR
2 THE PURPOSE OF ENSURING THE QUALITY OF CARE PROVIDED TO RECIP-
3 IENTS OF THE PROGRAM. THIS REVIEW SHALL INCLUDE A DETERMINATION
4 OF THE APPROPRIATENESS OF THE CARE PROVIDED.

5 (2) THE RECORDS, DATA, AND KNOWLEDGE GENERATED FOR OR BY
6 INDIVIDUALS OR COMMITTEES ASSIGNED A REVIEW FUNCTION UNDER
7 SUBSECTION (1) ARE CONFIDENTIAL, SHALL BE USED ONLY FOR THE PUR-
8 POSES OF REVIEW, ARE NOT PUBLIC RECORDS, AND ARE NOT SUBJECT TO
9 COURT SUBPOENA.

10 (3) THIS SECTION DOES NOT PREVENT DISCLOSURE OF INDIVIDUAL
11 CASE RECORDS PURSUANT TO SECTION 748 OR DISCLOSURE REQUIRED BY
12 FEDERAL LAW TO THE AGENCY DESIGNATED BY THE GOVERNOR TO PROVIDE
13 PROTECTION AND ADVOCACY PURSUANT TO SECTION 931.