



HOUSE BILL No. 5352

February 17 1994 Introduced by Rep Gubow and referred to the Committee on Mental Health

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 chapter 7b

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 chapter 7b to read as
4 follows

CHAPTER 7B

DISPUTE RESOLUTION

SEC 770 AS USED IN THIS CHAPTER

8 (A) "COMPLAINANT" MEANS A RECIPIENT WHO FILES A FORMAL
9 RIGHTS COMPLAINT OR A FORMAL SERVICE COMPLAINT OR ON WHOSE BEHALF

1 A FORMAL RIGHTS COMPLAINT OR FORMAL SERVICE COMPLAINT IS FILED
2 PURSUANT TO THIS CHAPTER

3 (B) "COUNTY DIRECTOR" MEANS THE DIRECTOR OF A COUNTY
4 PROGRAM

5 (C) "COUNTY PROGRAM" MEANS A COUNTY COMMUNITY MENTAL HEALTH
6 PROGRAM ESTABLISHED UNDER CHAPTER 2

7 (D) DEPARTMENT MEANS THE DEPARTMENT OF MENTAL HEALTH

8 (E) "FORMAL RIGHTS COMPLAINT" MEANS A WRITTEN STATEMENT THAT
9 MEETS THE REQUIREMENTS OF SECTION 771(3)

10 (F) "FORMAL SERVICE COMPLAINT" MEANS A WRITTEN STATEMENT
11 THAT MEETS THE REQUIREMENTS OF SECTION 772(3)

12 (G) "MEDIATION" MEANS A VOLUNTARY, CONFIDENTIAL PROCESS IN
13 WHICH A TRAINED, NEUTRAL PARTY FACILITATES THE MUTUALLY AGREEABLE
14 SETTLEMENT OF A DISPUTE BETWEEN A RECIPIENT AND THE DEPARTMENT OR
15 A COUNTY PROGRAM OR PROVIDER

16 (H) "PROVIDER" MEANS AN INDIVIDUAL, AGENCY, OR LICENSEE THAT
17 PROVIDES MENTAL HEALTH SERVICES TO RECIPIENTS UNDER A CONTRACT
18 WITH THE DEPARTMENT OR WITH A COUNTY PROGRAM

19 (I) "RECIPIENT" MEANS AN INDIVIDUAL WHO RECEIVES MENTAL
20 HEALTH SERVICES FROM THE DEPARTMENT, A COUNTY PROGRAM OR A
21 PROVIDER

22 (J) "RESPONDENT" MEANS THE DEPARTMENT, OR A COUNTY PROGRAM
23 OR PROVIDER, AGAINST WHOM A FORMAL RIGHTS COMPLAINT OR FORMAL
24 SERVICE COMPLAINT HAS BEEN FILED PURSUANT TO THIS CHAPTER

25 (K) "RIGHTS DISPUTE" MEANS A DISPUTE BETWEEN A RECIPIENT AND
26 THE DEPARTMENT, A COUNTY PROGRAM, OR A PROVIDER WITH RESPECT TO A

1 RIGHT THE RECIPIENT BELIEVES HAS BEEN VIOLATED UNDER THIS ACT OR
2 RULES PROMULGATED OR GUIDELINES ADOPTED PURSUANT TO THIS ACT

3 (L) "RIGHTS OFFICER" MEANS AN INDIVIDUAL EMPLOYED BY THE
4 DEPARTMENT OR A COUNTY PROGRAM PURSUANT TO CHAPTER 7A TO RECEIVE
5 REPORTS OF AND INVESTIGATE APPARENT VIOLATIONS OF RIGHTS GUARAN-
6 TEED UNDER CHAPTER 7

7 (M) SERVICE DISPUTE MEANS A DISPUTE BETWEEN A RECIPIENT
8 AND THE DEPARTMENT, A COUNTY PROGRAM OR A PROVIDER WITH RESPECT
9 TO A MENTAL HEALTH SERVICE OR SERVICES THE RECIPIENT IS RECEIVING
10 OR IS ENTITLED TO RECEIVE FROM THE DEPARTMENT, COUNTY PROGRAM, OR
11 PROVIDER

12 SEC 771 (1) A RECIPIENT, OR ANOTHER INDIVIDUAL ON BEHALF
13 OF A RECIPIENT, MAY MAKE A RIGHTS COMPLAINT TO THE RIGHTS OFFICER
14 OF THE COUNTY PROGRAM FOR THE COUNTY IN WHICH THE RECIPIENT
15 RESIDES ALLEGING A VIOLATION OF THIS ACT OR OF RULES PROMULGATED
16 OR GUIDELINES ADOPTED PURSUANT TO THIS ACT

17 (2) THE RIGHTS OFFICER SHALL ADVISE THE RECIPIENT THAT THERE
18 ARE ADVOCACY ORGANIZATIONS AVAILABLE TO ASSIST THE RECIPIENT IN
19 PREPARING A FORMAL RIGHTS COMPLAINT AND SHALL OFFER TO REFER THE
20 RECIPIENT TO AN ADVOCACY ORGANIZATION FOR ASSISTANCE OR, IF
21 REQUESTED SHALL ASSIST THE RECIPIENT IN PREPARING THE FORMAL
22 RIGHTS COMPLAINT THE RIGHTS OFFICER SHALL ADVISE THE RECIPIENT
23 OF THE DUE PROCESS RIGHTS AVAILABLE UNDER THIS CHAPTER AND SHALL
24 PROVIDE THE RECIPIENT WITH A PAMPHLET DESCRIBING THE MEDIATION
25 PROCESS

1 (3) A FORMAL RIGHTS COMPLAINT SHALL BE IN WRITING SHALL BE
2 FILED WITH THE RIGHTS OFFICER, AND SHALL CONTAIN ALL OF THE
3 FOLLOWING INFORMATION

4 (A) A STATEMENT OF THE FACTS GIVING RISE TO THE DISPUTE

5 (B) A STATEMENT OF THE RIGHT THAT THE RECIPIENT BELIEVES HAS
6 BEEN VIOLATED

7 (C) THE SPECIFIC OUTCOMES THAT THE RECIPIENT IS SEEKING AS A
8 RESOLUTION TO THE DISPUTE

9 (4) NOT LATER THAN 30 DAYS AFTER RECEIPT OF THE FORMAL
10 RIGHTS COMPLAINT, THE RIGHTS OFFICER SHALL CONDUCT AN INVESTIGA-
11 TION AND, IN A WRITTEN RECOMMENDATION BASED ON THE PREPONDERANCE
12 OF THE EVIDENCE DO 1 OF THE FOLLOWING

13 (A) SUBSTANTIATE THE ALLEGATIONS, IDENTIFY THE SPECIFIC LAW,
14 RULE, OR GUIDELINE THAT HAS BEEN VIOLATED, AND RECOMMEND ACTIONS
15 TO BE TAKEN BY THE RESPONDENT

16 (B) REFUTE THE ALLEGATIONS OR FIND THAT THE ALLEGATIONS DO
17 NOT PERTAIN TO A RIGHT GUARANTEED BY LAW RULE OR GUIDELINE

18 (C) FIND THE EVIDENCE INCONCLUSIVE AND RECOMMEND ANY ACTION
19 THE RIGHTS OFFICER BELIEVES IS APPROPRIATE TO RESOLVE THE
20 DISPUTE

21 (5) WITHIN THE 30 DAYS PRESCRIBED IN SUBSECTION (4), THE
22 RIGHTS OFFICER SHALL DO ALL OF THE FOLLOWING

23 (A) PROVIDE A COPY OF THE WRITTEN RECOMMENDATION TO THE
24 COUNTY DIRECTOR AND THE BOARD OF THE COUNTY PROGRAM

25 (B) PROVIDE COPIES OF ALL OF THE FOLLOWING TO THE RECIPIENT
26 AND THE RECIPIENT'S GUARDIAN, IF A GUARDIAN HAS BEEN APPOINTED
27 AND TO THE RECIPIENT'S ADVOCATE, IF ANY

1 (1) THE INCIDENT REPORT IF AN INCIDENT REPORT HAS BEEN
2 PREPARED

3 (2) THE COMPLAINT

4 (3) THE WRITTEN RECOMMENDATION REQUIRED UNDER SUBSECTION
5 (4)

6 (6) NOT LATER THAN 10 DAYS AFTER RECEIPT OF A WRITTEN RECOM-
7 MENDATION THAT INCLUDES RECOMMENDED ACTION TO BE TAKEN BY THE
8 RESPONDENT, THE COUNTY DIRECTOR SHALL PROVIDE TO THE RECIPIENT
9 AND THE RECIPIENT S GUARDIAN AND ADVOCATE IF ANY A WRITTEN PLAN
10 OF ACTION TO ADDRESS THE RECOMMENDATION

11 (7) NOT LATER THAN 21 DAYS AFTER RECEIPT OF THE WRITTEN PLAN
12 OF ACTION UNDER SUBSECTION (6), THE COMPLAINANT MAY FILE A WRIT-
13 TEN APPEAL WITH THE DEPARTMENT FOR A RESOLUTION PROCESS UNDER
14 SECTION 773 THE APPEAL MAY BE MADE ONLY UPON 1 OF THE FOLLOWING
15 GROUNDS, WHICH SHALL BE STATED IN THE WRITTEN APPEAL

16 (A) THE RIGHTS OFFICER'S RECOMMENDATION IS NOT CONSISTENT
17 WITH THE FACTS OR WITH LAW, RULES, OR GUIDELINES

18 (B) THERE IS NEW EVIDENCE THAT WAS NOT PRESENTED AT THE TIME
19 OF THE INVESTIGATION

20 (C) THE RIGHTS OFFICER OR THE RECOMMENDATION WAS BIASED

21 (D) THE PLAN OF ACTION DOES NOT REFLECT THE RECOMMENDATION
22 OR IS NOT ADEQUATE TO REDRESS THE VIOLATION

23 (8) A RIGHTS OFFICER OF THE STATE OFFICE OF RECIPIENT RIGHTS
24 SHALL ADVISE THE RECIPIENT THAT THERE ARE ADVOCACY ORGANIZATIONS
25 AVAILABLE TO ASSIST THE RECIPIENT IN PREPARING THE WRITTEN APPEAL
26 AND SHALL OFFER TO REFER THE RECIPIENT TO AN ADVOCACY

1 ORGANIZATION FOR ASSISTANCE OR, IF REQUESTED SHALL ASSIST THE
2 RECIPIENT IN PREPARING THE WRITTEN APPEAL

3 SEC 772 (1) A RECIPIENT, OR ANOTHER INDIVIDUAL ON BEHALF
4 OF A RECIPIENT, MAY MAKE A SERVICE COMPLAINT TO THE CLINICAL
5 SUPERVISOR OF THE COUNTY PROGRAM THROUGH WHICH THE RECIPIENT IS
6 RECEIVING OR IS ENTITLED TO RECEIVE SERVICES REGARDING ANY SERV-
7 ICE THAT IS OR THE RECIPIENT BELIEVES SHOULD BE A PART OF THE
8 RECIPIENT S INDIVIDUAL PLAN OF SERVICE

9 (2) THE CLINICAL SUPERVISOR SHALL ADVISE THE RECIPIENT THAT
10 THERE ARE ADVOCACY ORGANIZATIONS AVAILABLE TO ASSIST THE RECIPI-
11 ENT IN PREPARING A FORMAL SERVICE COMPLAINT AND SHALL OFFER TO
12 REFER THE RECIPIENT TO AN ADVOCACY ORGANIZATION FOR ASSISTANCE
13 OR, IF REQUESTED, SHALL ASSIST THE RECIPIENT IN PREPARING THE
14 FORMAL SERVICE COMPLAINT THE CLINICAL SUPERVISOR SHALL ADVISE
15 THE RECIPIENT OF THE DUE PROCESS RIGHTS AVAILABLE UNDER THIS
16 CHAPTER AND SHALL PROVIDE THE RECIPIENT WITH A PAMPHLET DESCRIB-
17 ING THE MEDIATION PROCESS

18 (3) A FORMAL SERVICE COMPLAINT SHALL BE IN WRITING, SHALL BE
19 FILED WITH THE CLINICAL SUPERVISOR, AND SHALL CONTAIN ALL OF THE
20 FOLLOWING INFORMATION

21 (A) AN IDENTIFICATION OF THE PARTICULAR SERVICE OR SERVICES
22 ABOUT WHICH THE COMPLAINANT IS IN DISPUTE WITH THE DEPARTMENT,
23 COUNTY PROGRAM, OR PROVIDER

24 (B) THE SPECIFIC OUTCOMES THAT THE COMPLAINANT IS SEEKING AS
25 A RESOLUTION TO THE DISPUTE

26 (4) NOT LATER THAN 30 DAYS AFTER RECEIPT OF THE FORMAL
27 SERVICE COMPLAINT, THE CLINICAL SUPERVISOR SHALL UNDERTAKE A FACT

1 FINDING PROCESS AND PROVIDE THE COMPLAINANT WITH A WRITTEN
2 RECOMMENDATION AS TO WHETHER THE SERVICE SHOULD BE PROVIDED OR
3 ALTERED IN ACCORDANCE WITH THE COMPLAINT

4 (5) WITHIN THE 30 DAYS SPECIFIED IN SUBSECTION (4), THE
5 CLINICAL SUPERVISOR SHALL DO ALL OF THE FOLLOWING

6 (A) PROVIDE A COPY OF THE WRITTEN RECOMMENDATION TO THE
7 COUNTY DIRECTOR AND THE BOARD OF THE COUNTY PROGRAM

8 (B) PROVIDE COPIES OF ALL OF THE FOLLOWING TO THE RECIPIENT
9 AND THE RECIPIENT'S GUARDIAN, IF A GUARDIAN HAS BEEN APPOINTED,
10 AND TO THE RECIPIENT S ADVOCATE, IF ANY

11 (1) THE FORMAL SERVICE COMPLAINT

12 (2) THE WRITTEN RECOMMENDATION REQUIRED UNDER SUBSECTION
13 (4)

14 (6) NOT LATER THAN 10 DAYS AFTER RECEIPT OF A WRITTEN RECOM-
15 MENDATION THAT INCLUDES RECOMMENDED ACTION TO BE TAKEN BY THE
16 RESPONDENT, THE COUNTY DIRECTOR SHALL PROVIDE TO THE RECIPIENT
17 AND THE RECIPIENT'S GUARDIAN AND ADVOCATE, IF ANY, A WRITTEN PLAN
18 OF ACTION TO ADDRESS THE RECOMMENDATION

19 (7) NOT LATER THAN 21 DAYS AFTER RECEIPT OF THE WRITTEN PLAN
20 OF ACTION REQUIRED UNDER SUBSECTION (6), THE COMPLAINANT MAY FILE
21 A WRITTEN APPEAL WITH THE DEPARTMENT FOR A RESOLUTION PROCESS
22 UNDER SECTION 773 THE APPEAL MAY BE MADE ONLY UPON 1 OF THE
23 FOLLOWING GROUNDS, WHICH SHALL BE STATED IN THE WRITTEN APPEAL

24 (A) THE CLINICAL SUPERVISOR'S RECOMMENDATION IS NOT BASED ON
25 STANDARDS OF ACCEPTABLE AND PREVAILING PRACTICE FOR THE MENTAL
26 HEALTH PROFESSIONS

1 (B) THERE IS NEW EVIDENCE THAT WAS NOT PRESENTED AT THE TIME
2 OF THE FACT-FINDING PROCESS

3 (C) THE CLINICAL SUPERVISOR OR THE RECOMMENDATION WAS
4 BIASED

5 (D) THE PLAN OF ACTION DOES NOT REFLECT THE RECOMMENDATION

6 (8) A RIGHTS OFFICER OF THE STATE OFFICE OF RECIPIENT RIGHTS
7 SHALL ADVISE THE RECIPIENT THAT THERE ARE ADVOCACY ORGANIZATIONS
8 AVAILABLE TO ASSIST THE RECIPIENT IN PREPARING THE WRITTEN APPEAL
9 AND SHALL OFFER TO REFER THE RECIPIENT TO AN ADVOCACY ORGANIZA-
10 TION FOR ASSISTANCE OR, IF REQUESTED, SHALL ASSIST THE RECIPIENT
11 IN PREPARING THE WRITTEN APPEAL

12 SEC 773 (1) UPON RECEIPT OF A WRITTEN APPEAL UNDER SEC-
13 TION 771 OR 772, THE DEPARTMENT SHALL APPOINT A MEDIATOR TO
14 FACILITATE A MUTUALLY AGREEABLE SETTLEMENT BETWEEN THE COMPLAIN-
15 ANT AND RESPONDENT THE MEDIATOR MAY BE ANY INDIVIDUAL WHO HAS
16 RECEIVED TRAINING IN MEDIATION AND WHO IS NOT INVOLVED IN ANY
17 MANNER WITH THE DISPUTE OR WITH THE PROVISION OF SERVICES TO THE
18 COMPLAINANT THE DEPARTMENT SHALL INFORM THE COMPLAINANT THAT AN
19 APPEAL HEARING PURSUANT TO SUBSECTION (2) IS NOT AVAILABLE UNLESS
20 THE PARTIES HAVE COMPLETED THE MEDIATION PROCESS FIRST IF THE
21 COMPLAINANT REFUSES TO PARTICIPATE IN MEDIATION, THE RECOMMENDA-
22 TION OF THE RIGHTS OFFICER OR CLINICAL SUPERVISOR IS FINAL IF
23 THE PARTIES REACH AGREEMENT THROUGH THE MEDIATION PROCESS THE
24 MEDIATOR SHALL PREPARE A REPORT SUMMARIZING THE AGREEMENT, WHICH
25 SHALL BE SIGNED BY THE COMPLAINANT AND THE RESPONDENT THE
26 DEPARTMENT, COUNTY PROGRAM, OR PROVIDER SHALL TREAT THE SIGNED
27 AGREEMENT AS A CONTRACT BETWEEN THE PARTIES

1 (2) IF THE PARTIES HAVE ENGAGED IN A MEDIATION PROCESS
2 PURSUANT TO SUBSECTION (1) AND THE MEDIATION HAS NOT RESULTED IN
3 A SIGNED AGREEMENT BETWEEN THE PARTIES, THE DEPARTMENT SHALL PRO-
4 VIDE A COMPLAINANT WITH A HEARING ON THE APPEAL OF A RECOMMENDA-
5 TION AND PLAN OF ACTION UNDER SECTION 771 OR 772 IN ACCORDANCE
6 WITH CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969 ACT
7 NO 306 OF THE PUBLIC ACTS OF 1969 BEING SECTIONS 24 271 TO
8 24 287 OF THE MICHIGAN COMPILED LAWS THE PRESIDING OFFICER FOR
9 THE HEARING SHALL BE A 3-MEMBER PANEL AS PRESCRIBED BY THIS
10 SECTION

11 (3) THE DEPARTMENT SHALL DEVELOP A POOL OF INDIVIDUALS TO
12 SERVE AS THE PRESIDING OFFICER PANEL FOR A HEARING REQUIRED UNDER
13 SUBSECTION (2) THE POOL SHALL CONSIST OF INDIVIDUALS WITH
14 INTEREST IN AND KNOWLEDGE OF THE RIGHTS OF RECIPIENTS OF MENTAL
15 HEALTH SERVICES THE DEPARTMENT SHALL PREPARE A LIST OF THE
16 INDIVIDUALS IN THE POOL AND THEIR QUALIFICATIONS UPON NOTIFICA-
17 TION THAT THE PARTIES HAVE MEDIATED THEIR DISPUTE AND HAVE NOT
18 REACHED AGREEMENT THE DEPARTMENT SHALL PROVIDE A COPY OF THE
19 LIST TO THE COMPLAINANT AND THE RESPONDENT

20 (4) THE DEPARTMENT SHALL FORM A 3-MEMBER PANEL TO PRESIDE
21 OVER EACH HEARING REQUIRED BY THIS SECTION EACH PANEL SHALL BE
22 COMPOSED AS FOLLOWS

23 (A) ONE MEMBER SHALL BE CHOSEN BY THE COMPLAINANT FROM THE
24 LIST REQUIRED UNDER SUBSECTION (3)

25 (B) ONE MEMBER SHALL BE CHOSEN BY THE RESPONDENT FROM THE
26 LIST REQUIRED UNDER SUBSECTION (3)

1 (C) THE THIRD MEMBER, WHO NEED NOT BE FROM THE LIST REQUIRED
2 UNDER SUBSECTION (3), SHALL BE CHOSEN BY THE OTHER 2 MEMBERS

3 (5) THE DEPARTMENT SHALL PAY EACH MEMBER OF THE PANEL THAT
4 PRESIDES OVER A HEARING UNDER THIS CHAPTER A PER DIEM AND
5 EXPENSES COMMENSURATE WITH THOSE ACCORDED OTHER HEARING OFFICERS
6 IN THE DEPARTMENT

7 SEC 774 (1) IN ADDITION TO THE MEDIATION REQUIRED BEFORE
8 AN APPEAL HEARING UNDER SECTION 773 THE COMPLAINANT OR RESPON-
9 DENT MAY AT ANY TIME DURING THE DISPUTE RESOLUTION PROCESS
10 REQUEST A MEDIATION IN WHICH THE RELIEF SOUGHT CONSISTS OF A
11 MUTUALLY AGREEABLE SETTLEMENT BETWEEN THE PARTIES

12 (2) IF BOTH PARTIES AGREE TO THE USE OF MEDIATION, THE
13 DEPARTMENT SHALL PROVIDE A MEDIATOR THE MEDIATOR MAY BE ANY
14 INDIVIDUAL WHO HAS RECEIVED TRAINING IN MEDIATION AND WHO IS NOT
15 INVOLVED IN ANY MANNER WITH THE DISPUTE OR WITH THE PROVISION OF
16 SERVICES TO THE COMPLAINANT

17 (3) EXCEPT AS PROVIDED IN SECTION 773, OR IN A CASE IN WHICH
18 THE PARTIES REACH AN AGREEMENT THAT SETTLES THE DISPUTE, A MEDIA-
19 TION HAS NO AFFECT ON THE PROGRESS OF THE DISPUTE RESOLUTION
20 UNDER THIS CHAPTER AND IT DOES NOT ALTER THE DEADLINES FOR
21 APPEAL

22 (4) IF THE PARTIES REACH AGREEMENT THROUGH THE MEDIATION
23 PROCESS, THE MEDIATOR SHALL PREPARE A REPORT SUMMARIZING THE
24 AGREEMENT, WHICH SHALL BE SIGNED BY THE COMPLAINANT AND
25 RESPONDENT THE DEPARTMENT, COUNTY PROGRAM, OR PROVIDER SHALL
26 TREAT THE SIGNED AGREEMENT AS A CONTRACT BETWEEN THE PARTIES

1 (5) IF THE MEDIATION DOES NOT LEAD TO AGREEMENT, THE DISPUTE
2 SHALL BE RESOLVED ACCORDING TO THIS CHAPTER

3 SEC 775 (1) IN ADDITION TO THOSE RIGHTS SET FORTH IN
4 CHAPTER 4 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO
5 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24 271 TO 24 287
6 OF THE MICHIGAN COMPILED LAWS, A COMPLAINANT HAS THE FOLLOWING
7 RIGHTS WITH RESPECT TO A HEARING ON THE APPEAL OF A DECISION IN A
8 RIGHTS OR SERVICE DISPUTE

9 (A) ATTENDANCE AT THE HEARING

10 (B) REPRESENTATION BY AN ADVOCATE

11 (C) AN INDEPENDENT EVALUATION BY A PSYCHIATRIST, A FULLY
12 LICENSED PSYCHOLOGIST, OR ANOTHER LICENSED OR CERTIFIED PROFES-
13 SIONAL WITH EXPERTISE APPROPRIATE TO THE ISSUES INVOLVED IN THE
14 DISPUTE

15 (2) DURING THE PENDENCY OF A RIGHTS OR SERVICE DISPUTE, THE
16 FOLLOWING APPLY

17 (A) IF THE DISPUTE PERTAINS TO MEDICAL TREATMENT THE COM-
18 PLAINANT IS RECEIVING, THE COMPLAINANT S CHOICE OF TREATMENT
19 SHALL BE FOLLOWED UNTIL THE DISPUTE IS RESOLVED UNLESS THE
20 TREATMENT PROVIDER CERTIFIES THAT ANOTHER COURSE OF TREATMENT IS
21 NECESSARY IN ORDER TO PREVENT THE COMPLAINANT FROM ENDANGERING
22 HIMSELF OR HERSELF OR OTHERS

23 (B) IF THE DISPUTE PERTAINS TO RESIDENTIAL PLACEMENT OR ANY
24 OTHER MATTER OTHER THAN MEDICAL TREATMENT, THE STATUS QUO SHALL
25 BE PRESERVED, SO LONG AS THE COMPLAINANT IS NOT AT RISK, AS
26 DETERMINED BY THE DEPARTMENT OR COUNTY PROGRAM

1 Section 2 This amendatory act shall not take effect unless
2 House Bill No 4197 of the 87th Legislature is enacted into law