



**House
Legislative
Analysis
Section**

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**REQUIRE CONSENT FOR INPATIENT
PSYCHIATRIC EXPERIMENTS**

House Bill 4282

Sponsor: Rep. Belda Garza

Committee: Health Policy

Complete to 3-13-01

A SUMMARY OF HOUSE BILL 4282 AS INTRODUCED 2-20-01

The bill would add a new section to Chapter 7 of the Mental Health Code (“Rights of Recipients of Mental Health Services”) to prohibit recipients of public mental health services from being the subjects of “experimental treatment” unless consent were obtained. Consent would have to be obtained from the recipient (if he or she were at least 18 years old and did not have a medical guardian) or from the recipient’s parent (if the recipient were under 18) who had legal and physical custody, guardian (if the guardian had power to execute a consent for medical treatment), or designated representative (if a durable power of attorney or other advance directive granted the representative authority to consent to medical treatment). The Mental Health Code defines “recipient” to mean “an individual who receives mental health service from the department [of Community Health], a community mental health services program, or a facility or from a provider that is under contract with the department or a community mental health services program.”

MCL 330.1717a

House Bill 4282 (3-13-01)

Analyst: S. Ekstrom

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