

SENATE BILL No. 1468

November 3, 2004, Introduced by Senators HAMMERSTROM, PATTERSON and JACOBS
and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled
"Mental health code,"
by amending section 400 (MCL 330.1400), as amended by 1995 PA
290.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 400. As used in this chapter, unless the context
2 requires otherwise:

3 (a) "Clinical certificate" means the written conclusion and
4 statements of a physician or a licensed psychologist that an
5 individual is a person requiring treatment, together with the
6 information and opinions, in reasonable detail, that underlie the
7 conclusion, on the form prescribed by the department or on a
8 substantially similar form.

9 (b) "Competent clinical opinion" means the clinical judgment
10 of a physician, psychiatrist, or licensed psychologist.

1 (c) "Court" means the probate court or the court with
2 responsibility with regard to mental health services for the
3 county of residence of the subject of a petition, or for the
4 county in which the subject of a petition was found.

5 (d) "Formal voluntary hospitalization" means hospitalization
6 of an individual based on both of the following:

7 (i) The ~~individual's~~ execution of an application for
8 voluntary hospitalization **by the individual or by a patient**
9 **advocate designated under the estates and protected individuals**
10 **code, 1998 PA 386, MCL 700.1101 to 700.8102, to make mental**
11 **health treatment decisions for the individual.**

12 (ii) The hospital director's determination that the
13 individual is clinically suitable for voluntary hospitalization.

14 (e) "Informal voluntary hospitalization" means
15 hospitalization of an individual based on all of the following:

16 (i) The individual's request for hospitalization.

17 (ii) The hospital director's determination that the
18 individual is clinically suitable for voluntary hospitalization.

19 (iii) The individual's agreement to accept treatment.

20 (f) "Involuntary mental health treatment" means court-ordered
21 hospitalization, alternative treatment, or combined
22 hospitalization and alternative treatment as described in section
23 468.

24 (g) "Mental illness" means a substantial disorder of thought
25 or mood that significantly impairs judgment, behavior, capacity
26 to recognize reality, or ability to cope with the ordinary
27 demands of life.

1 (h) "Preadmission screening unit" means a service component
2 of a community mental health services program established under
3 section 409.

4 (i) "Private-pay patient" means a patient whose services and
5 care are paid for from funding sources other than the community
6 mental health services program, the department, or other state or
7 county funding.

8 (j) "Release" means the transfer of an individual who is
9 subject to an order of combined hospitalization and alternative
10 treatment from 1 treatment program to another in accordance with
11 his or her individual plan of services.

12 (k) "Subject of a petition" means an individual regarding
13 whom a petition has been filed with the court asserting that the
14 individual is or is not a person requiring treatment or for whom
15 an objection to involuntary mental health treatment has been made
16 under section 484.

17 Enacting section 1. This amendatory act does not take effect
18 unless all of the following bills of the 92nd Legislature are
19 enacted into law:

20 (a) Senate Bill No. 1464.

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22 (b) Senate Bill No. 1469.

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24 (c) Senate Bill No. 1470.

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26 (d) Senate Bill No. 1471.

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1 (e) Senate Bill No. 1472.

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