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BILL ANALYSIS

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Senate Bills 103, 104, and 105 (as introduced 1-27-05)
Senate Bill 1289 (as introduced 6-6-06)
Sponsor: Senator Bev Hammerstrom (S.B. 103, 104, & 1289)
 Senator Shirley Johnson (S.B. 105)
Committee: Health Policy

Date Completed: 6-6-06

CONTENT

Senate Bill 103 would amend the Social Welfare Act to require the Detroit-Wayne County community mental health services program (CMHSP) to be established as a CMH authority in order to contract with the Department of Community Health (DCH) as a specialty prepaid health plan to provide specialty services and supports.

Senate Bills 104 and 105 would amend the Mental Health Code to require the Detroit-Wayne County CMHSP to be established as a CMH authority in order to receive financial support from the State; and allow the DCH to require the CMHSP to become a CMH authority as a condition of certification.

Senate Bill 1289 would repeal Section 216 of the Mental Health Code, which provides for the membership of the Detroit-Wayne County CMHSP board.

The bills are described below in further detail.

Senate Bill 103

Beginning October 1, 2005, the bill would require a CMHSP established by a single charter county that has situated totally within it a city having a population of at least 500,000 (i.e., Wayne County and the City of Detroit, respectively) to comply with Sections 204(4), 205, and 216 of the Mental Health Code before contracting with the DCH as a specialty prepaid health plan to provide specialty services and supports.

Section 204(4) would be added to the Mental Health Code by Senate Bill 104, which is described below.

Under Section 205, a county CMH agency or organization that is certified by the DCH may become a CMH authority through an enabling resolution adopted by the board of commissioners of each creating county after at least three public hearings held in accordance with the Open Meetings Act. Section 205 identifies powers that a CMH authority has in addition to the powers of a CMHSP.

Section 216 (which Senate Bill 1289 would repeal) provides for the composition of the Detroit-Wayne County CMHSP board.

Senate Bill 104

The bill would require the Detroit-Wayne County CMHSP, beginning October 1, 2005, to be established as a CMH authority as specified in Section 205 of the Mental Health Code in order to qualify for State support under Section 202.

(Section 202 requires the State, pursuant to Chapter 3 (State and County Financial Responsibility) financially to support CMHSPs that have been established and that are administered pursuant to the provisions of Chapter 2 (County Community Mental Health Programs).)

Senate Bill 105

The Mental Health Code prohibits the DCH from requiring a CMHSP to become a CMH authority as a condition of certification; CMH authority status is voluntary. The bill would make an exception to this provision in the case of the Detroit-Wayne County CMHSP.

Senate Bill 1289

Under Section 216 of the Mental Health Code, the board of the Detroit-Wayne County CMHSP consists of 12 members. Six of the members must be Detroit residents appointed by the city's chief executive officer. The remaining six members must be Wayne County residents, not from Detroit, appointed by the county's chief executive officer with the advice and consent of the county board of commissioners. The bill would repeal Section 216.

MCL 400.109i (S.B. 103)
330.1204 (S.B. 104)
330.1232a (S.B. 105)
330.1216 (S.B. 1289)

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bills would require that a single-county CMH services program in a county with a city having a population over 500,000 be established as a community mental health authority. The provisions in these bills would apply to only one CMH board, Detroit-Wayne County. There would be no direct fiscal impact from such a change; however, subsequent changes in practices and oversight would have a clear but indeterminate fiscal impact on both the State and the county.

Fiscal Analyst: Steve Angelotti

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.