

SENATE BILL No. 104

January 27, 2005, Introduced by Senators HAMMERSTROM, JOHNSON, SIKKEMA, GEORGE, KUIPERS, STAMAS and VAN WOERKOM and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled
"Mental health code,"
by amending section 204 (MCL 330.1204), as amended by 1995 PA 290.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 204. (1) ~~—A—~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), A**
2 community mental health services program established under this
3 chapter shall be a county community mental health agency, a
4 community mental health organization, or a community mental health
5 authority. A county community mental health agency is an official
6 county agency. A community mental health organization or a
7 community mental health authority is a public governmental entity
8 separate from the county or counties that establish it.

1 (2) Procedures and policies for a community mental health
2 organization or a community mental health authority shall be set by
3 the board of the community mental health services program.

4 Procedures and policies for a county community mental health agency
5 shall be set by the board of commissioners or boards of
6 commissioners as prescribed in this subsection. If a county
7 community mental health services agency represents a single county,
8 the county's board of commissioners shall determine the procedures
9 and policies that shall be applicable to the agency. If a county
10 community mental health services agency represents 2 or more
11 counties, the boards of commissioners of the represented counties
12 shall by agreement determine the procedures and policies that shall
13 be applicable to the agency. In a charter county with an elected
14 county executive, the county executive shall determine the
15 procedures and policies that shall be applicable to the agency.

16 (3) The procedures and policies for multicounty community
17 mental health services programs shall not take effect until at
18 least 3 public hearings on the proposed procedures and policies
19 have been held.

20 (4) BEGINNING OCTOBER 1, 2005, IN ORDER TO QUALIFY FOR STATE
21 SUPPORT UNDER SECTION 202, IF A SINGLE CHARTER COUNTY THAT HAS
22 SITUATED TOTALLY WITHIN THAT COUNTY A CITY HAVING A POPULATION OF
23 AT LEAST 500,000 ESTABLISHES A COMMUNITY MENTAL HEALTH SERVICES
24 PROGRAM, THAT COMMUNITY MENTAL HEALTH SERVICES PROGRAM SHALL BE
25 ESTABLISHED AS A COMMUNITY MENTAL HEALTH AUTHORITY AS SPECIFIED
26 UNDER SECTION 205.