

Act No. 586
Public Acts of 2006
Approved by the Governor
December 30, 2006
Filed with the Secretary of State
January 3, 2007
EFFECTIVE DATE: January 3, 2007

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Leland, Tobocman, Meisner, Kolb, Anderson, Mortimer, Sheltroun, Alma Smith, Vagnozzi, Donigan, Plakas, Farrah, Gleason, Cushingberry, Zelenko, Lipsey, Williams, Hunter, Bieda, Wojno, Clack, Hune, Caswell, Ward, Gillard, Dillon, Angerer, Byrnes, Cheeks, Espinoza, Gonzales, Kahn, Mayes, Polidori, Schuitmaker, Spade and Murphy

ENROLLED HOUSE BILL No. 5927

AN ACT to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 104 (MCL 330.1104), as amended by 1986 PA 287.

The People of the State of Michigan enact:

Sec. 104. (1) The head of the department is the director of mental health as provided in section 401 of the executive organization act of 1965, 1965 PA 380, MCL 16.501.

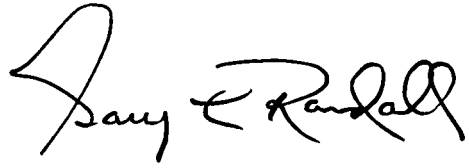
(2) All executive authority of and within the department is vested in the director, who may delegate that authority as he or she considers necessary or appropriate. Any authority that has by law been vested in any entity owned or operated by the department, or any employee of the department is exercisable by the director at his or her option. The director shall delegate authority for clinical decisions to appropriately trained clinical professionals. This subsection applies to each chapter of this act.

(3) The director shall appoint a medical director of mental health services who is an appropriately credentialed psychiatrist. The medical director shall do all of the following:

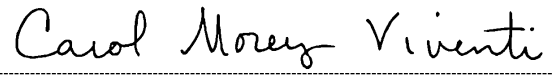
- (a) Advise the director on mental health policy and treatment issues.
- (b) Serve as a resource on mental health clinical matters to all divisions within the department, other state departments, and the mental health field.
- (c) Promote the use of mental health care and treatment best practices that are scientifically validated and recovery oriented.

(4) Clinical psychiatric decisions regarding the admission, treatment, and discharge of psychiatric patients in state mental hospitals shall be made by qualified state hospital physicians or appropriately credentialed psychiatrists granted state hospital staff privileges under section 245.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor