

# SENATE BILL No. 868

September 24, 2009, Introduced by Senators BRATER, JACOBS, CLARK-COLEMAN, CLARKE, SCOTT, CHERRY, OLSHOVE, ANDERSON, SWITALSKI, BASHAM and THOMAS and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled  
"Mental health code,"  
(MCL 330.1001 to 330.2106) by adding section 721.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 721. THE DEPARTMENT OR, IF APPLICABLE, OTHER STATE  
2        DEPARTMENT RESPONSIBLE FOR CONDUCTING MEDICAID FAIR HEARINGS SHALL  
3        ASSURE THAT ANY HEARING RELATED TO A COMMUNITY MENTAL HEALTH  
4        SERVICES PROGRAM UTILIZES AND RECORDS CONSULTATIVE INPUT AND  
5        OPINION REGARDING THE CASE'S MERITS FROM A MENTAL HEALTH  
6        PROFESSIONAL, WHO SHALL HAVE NO EMPLOYMENT, CONTRACTUAL, OR OTHER  
7        RELATIONSHIP WITH ANY COMMUNITY MENTAL HEALTH SERVICES PROGRAM,  
8        BEFORE RENDERING A HEARING DETERMINATION.