

# Legislative Analysis



## MENTAL HEALTH SERVICES TO COUNTY JAIL INMATES

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### Senate Bill 557

**Sponsor:** Senator Schuitmaker

**Committee:** House Appropriations

**Complete to 2-11-14**

### A SUMMARY OF SENATE BILL 557 AS PASSED BY SENATE 12-11-13:

Senate Bill 557 would amend the Mental Health Code by adding Section 207B.

Senate Bill 557 would prohibit the Department of Community Health (DCH) from prohibiting the use of GF/GP funds by community mental health services programs (CMHSPs) to provide mental health services to county jail inmates if a CMHSP has entered into an agreement with a county or county sheriff to provide those services.

### BACKGROUND INFORMATION

The proposed language in Senate Bill 557 is identical to Section 492 of Article IV, Public Act 59 of 2013 (the FY 2013-14 appropriations act for the DCH). The boilerplate language has been included in the DCH's appropriation act since FY 2010-11.

The Attorney General Opinion 7231 on May 27, 2009 states the following:

“The costs incurred providing mental health services to an inmate incarcerated in a county jail are ultimately the responsibility of the county under MCL 801.4. The community mental health program serving the county in which that jail is located must nevertheless seek to obtain payment from available insurance or other sources before resorting to the county for payment in accordance with MCL 801.4(2).

The costs incurred in providing mental health services to an inmate in a county jail rests with the county, regardless of the type of treatment or mental health service being delivered.”

### FISCAL IMPACT:

Senate Bill 557 does not have a direct fiscal impact on state or local government. Community mental health services programs may redirect GF/GP resources to provide mental health services to county jail inmates. Cost data for CMHSPs estimated that \$9.7 million GF/GP in FY 2010-11 was used for mental health treatment services in jails.

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