

Act No. 658  
Public Acts of 2018  
Approved by the Governor  
December 28, 2018  
Filed with the Secretary of State  
December 28, 2018  
EFFECTIVE DATE: March 28, 2019

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

**Introduced by Reps. Whiteford, Rendon, Vaupel, Canfield, Hammoud, Wittenberg, Rabhi, Guerra, Pagel,  
Wentworth, Kesto, LaGrand, Calley, Allor and Kosowski**

# **ENROLLED HOUSE BILL No. 5439**

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 or substance use disorder services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness, substance use disorder, or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness, substance use disorder, or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” (MCL 330.1001 to 330.2106) by adding section 151.

*The People of the State of Michigan enact:*

Sec. 151. (1) As used in this section:

- (a) “Psychiatric facility” means a psychiatric hospital or psychiatric unit licensed under section 134.
- (b) “Registry” means the inpatient psychiatric bed registry created in subsection (2).

(2) The department shall establish and administer an electronic inpatient psychiatric bed registry. The registry shall be a web-based resource to identify available psychiatric beds in this state categorized by patient gender, acuity, age, and diagnosis. The registry must be accessible through the department’s website.

(3) The department may, by contract, delegate creating, operating, and maintaining the registry to a private entity.

(4) Psychiatric facilities and other providers determined by the department must provide the department with the number of inpatient psychiatric beds available in those facilities at the time the information is provided. The information must be provided by the psychiatric facilities and other providers on a basis as close to real time as possible. Psychiatric facilities and other providers must provide the department with this information as specified under subsection (7).

(5) The registry shall be made accessible to prepaid inpatient health plans, licensed health plans, community mental health services programs, acute care hospitals, psychiatric facilities, and employees and caregivers with other appropriate providers.

(6) The department shall create a committee to provide guidance on creating, operating, and maintaining the registry. The committee shall include representatives from the following groups:

- (a) The department.
- (b) The department of licensing and regulatory affairs.
- (c) Psychiatric facilities.
- (d) End users of the registry as described under subsection (5).

(e) Consumers, families, and advocates.

(f) Law enforcement.

(7) The department shall establish requirements for psychiatric facilities and other providers as determined by the department to report information to the department in consultation with the committee established under subsection (6).

(8) The department shall provide quarterly reports on the progress of implementing the registry beginning on the first quarter after the effective date of the amendatory act that added this section. The department must provide these quarterly reports to the chairs of the house and senate committees on health policy and the chairs of the house and senate appropriations subcommittees for the department of health and human services.

(9) The department, in consultation with the committee established under subsection (6), may establish a policy for the secondary use of registry data.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor