

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

GENERAL PROVISIONS

330.1500 Definitions.

Sec. 500. As used in this chapter, unless the context requires otherwise:

(a) "Administrative admission" means the admission of an individual with a developmental disability to a facility under section 509.

(b) "Alternative program of care and treatment" means an outpatient program of care and treatment suitable to the individual's needs under the supervision of a psychiatrist that is developed in accordance with person-centered planning under section 712.

(c) "Court" means the probate court or the court with responsibility with regard to mental health matters for the county in which an individual with a developmental disability resides or was found.

(d) "Criteria for treatment" means the criteria specified in section 515 for admission of an adult with an intellectual disability to a facility, private facility, or alternative program of care and treatment under section 518.

(e) "Private facility" means an adult foster care facility operated under contract with a community mental health services program or on a private pay basis that agrees to do both of the following:

(i) Accept the admission of an individual with developmental disability.

(ii) Fulfill the duties of a facility as described in this chapter.

(f) "Treatment" means admission into an appropriate treatment facility or an outpatient program of care and treatment suitable to the individual's needs under the supervision of a psychiatrist that is developed in accordance with person-centered planning under section 712.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1978, Act 166, Imd. Eff. May 26, 1978;—Am. 1986, Act 264, Imd. Eff. Dec. 9, 1986;—Am. 1987, Act 76, Imd. Eff. June 29, 1987;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2018, Act 596, Eff. Mar. 28, 2019.

330.1501 Forms.

Sec. 501. The department shall prescribe the forms to be used under this chapter, and all facilities shall use department forms. At the direction of the supreme court, the state court administrative office shall prescribe the forms used for court proceedings under this chapter.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 2018, Act 596, Eff. Mar. 28, 2019.

330.1502 Admission to facility; applicable law.

Sec. 502. An individual shall be admitted to a facility only according to the provisions of this act.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2018, Act 596, Eff. Mar. 28, 2019.

330.1503 Judicial admission of minors prohibited; preferred form of admission for adults.

Sec. 503. (1) An individual under 18 years of age shall not be judicially admitted to a facility, private facility, or other residential program.

(2) Administrative admission under section 509 is the preferred form of admission for individuals 18 years of age or older.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2018, Act 596, Eff. Mar. 28, 2019.

330.1504 Developmentally disabled persons; admission.

Sec. 504. An individual with a developmental disability other than an intellectual disability is eligible for temporary and administrative admission under sections 508 and 509.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 2014, Act 72, Imd. Eff. Mar. 28, 2014;—Am. 2018, Act 596, Eff. Mar. 28, 2019.

330.1505 Evaluation of competency to execute application for administrative admission; notice; petition for appointment of plenary or partial guardian.

Sec. 505. (1) Six months before the eighteenth birthday of each resident in a facility, the resident shall be evaluated by the center for the purpose of determining whether he or she is competent to execute an application for administrative admission.

(2) If it is determined by the facility that the resident is not competent to execute an application for administrative admission, or otherwise requires the protective services of a guardian, a parent, or if none, another interested person or entity, the parent, guardian, or interested party shall be notified and requested to file a petition for the appointment of a plenary or partial guardian. If a petition is not filed, the facility may, but need not, file a petition.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2018, Act 596, Eff. Mar. 28, 2019.