

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1104 Director as head of department; authority; delegation; appointment of medical director of mental health services; clinical psychiatric decisions.

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.

History: 1974, Act 258, Eff. Aug. 6, 1975;—Am. 1986, Act 287, Imd. Eff. Dec. 22, 1986;—Am. 2006, Act 586, Imd. Eff. Jan. 3, 2007.