

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1408 Return of patient to hospital; conditions; notification of peace officers or security transport officers; protective custody; notice of opportunity to appeal.**

Sec. 408. (1) An individual is subject to being returned to a hospital if both of the following circumstances exist:

- (a) The individual was admitted to the hospital by judicial order.
- (b) The individual has left the hospital without authorization, or has refused a lawful request to return to the hospital while on an authorized leave or other authorized absence from the hospital.
- (2) The hospital director may notify a peace officer or a security transport officer that an individual is subject to being returned to the hospital. Upon notification by the hospital director, a peace officer must take the individual into protective custody. After the individual is taken into protective custody, a police officer or security transport officer must transport the individual to a hospital.
- (3) An opportunity for appeal, and notice of that opportunity, must be provided to an individual who objects to being returned from any authorized leave in excess of 10 days.

**History:** 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1986, Act 301, Imd. Eff. Dec. 22, 1986;—Am. 1988, Act 155, Imd. Eff. June 14, 1988;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2022, Act 146, Eff. (sine die);—Am. 2022, Act 214, Imd. Eff. Oct. 14, 2022.