

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1498d Hospitalization of minor; conditions; request by department of human services or county juvenile agency; suitability for hospitalization; determination; "county juvenile agency" defined.

Sec. 498d. (1) Subject to section 498e and except as otherwise provided in this chapter, section 1074, and section 18s of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18s, a minor of any age may be hospitalized if both of the following conditions are met:

(a) The minor's parent, guardian, or a person acting in loco parentis for the minor or, in compliance with subsection (2) or (3), the department of human services or county juvenile agency, as applicable, requests hospitalization of the minor under this chapter.

(b) The minor is found to be suitable for hospitalization.

(2) The department of human services may request hospitalization of a minor who is committed to the department of human services under 1935 PA 220, MCL 400.201 to 400.214.

(3) As applicable, the department of human services may request hospitalization of, or the county juvenile agency may request an evaluation for hospitalization of, a minor who is 1 of the following:

(a) A ward of the court under chapter X or XIIA of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70 and 712A.1 to 712A.32, if the department of human services or county juvenile agency is specifically empowered to do so by court order.

(b) Committed to the department of human services or county juvenile agency under the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309, except that if the minor is residing with his or her custodial parent, the consent of the custodial parent is required.

(4) Subject to sections 498e, 498f, and 498j, and except as provided in section 1074 and section 18s of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18s, a minor 14 years of age or older may be hospitalized if both of the following conditions are met:

(a) The minor requests hospitalization under this chapter.

(b) The minor is found to be suitable for hospitalization.

(5) In making the determination of suitability for hospitalization, a minor shall not be determined to be a minor requiring treatment solely on the basis of 1 or more of the following conditions:

(a) Epilepsy.

(b) Developmental disability.

(c) Brief periods of intoxication caused by substances such as alcohol or drugs or by dependence upon or addiction to those substances.

(d) Juvenile offenses, including school truancy, home truancy, or incorrigibility.

(e) Sexual activity.

(f) Religious activity or beliefs.

(g) Political activity or beliefs.

(6) As used in this section, "county juvenile agency" means that term as defined in section 2 of the county juvenile agency act, 1998 PA 518, MCL 45.622.

History: Add. 1984, Act 186, Imd. Eff. July 3, 1984;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 1998, Act 524, Imd. Eff. Jan. 12, 1999;—Am. 2012, Act 540, Eff. Mar. 28, 2013.