

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1623 Placement of individual with developmental disability in facility; appropriateness of placement; appropriate treatment and residential programs; reports from public agencies.

Sec. 623. (1) A guardian, whether plenary or partial, appointed under this chapter shall not have the power, unless specified by court order, to place an individual with a developmental disability in a facility.

(2) Before authorizing the placement of a respondent in a facility, the court shall inquire into and determine the appropriateness of the placement.

(3) Before authorizing a guardian to make application to place an individual with a developmental disability in a facility, the court shall determine, in conjunction with the appropriate community mental health services program, whether the placement offers appropriate treatment and residential programs to meet the needs of the respondent and whether there is a less restrictive treatment and residential program available. In ordering a placement, the court shall give preference to an available less restrictive treatment and residential program provided that it is adequate and appropriate to meet the respondent's needs. The court or counsel may request reports from public agencies on the suitability of a particular placement for a respondent.

History: Add. 1978, Act 527, Imd. Eff. Dec. 21, 1978;—Am. 1995, Act 290, Eff. Mar. 28, 1996.