

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1972 Minimum standards and requirements for certification.

Sec. 972. The department shall establish minimum standards and requirements for certifying a crisis stabilization unit. Standards and requirements include, but are not limited to, the following:

(a) A standard requiring the capacity to carry out emergency receiving and evaluating functions but not to the extent that brings the crisis stabilization unit under the provisions of section 1867 of the social security act, 42 USC 1395dd.

(b) Standards requiring implementation of voluntary and involuntary admission consistent with section 409.

(c) A prohibition from holding itself out as a hospital or from billing for hospital or inpatient services.

(d) Standards to prevent inappropriate referral between entities of common ownership.

(e) Standards regarding maximum length of stay at a crisis stabilization unit with discharge planning upon intake to a clinically appropriate level of care consistent with section 409(7).

(f) Standards of billing for services rendered at a crisis stabilization unit.

(g) Standards for reimbursement of services for uninsured individuals, underinsured individuals, or both, and Medicaid beneficiaries, including, but not limited to, formal agreements with community mental health services programs or regional entities for services provided to individuals utilizing public behavioral health funds, outreach and enrollment for eligible health coverage, annual rate setting, proper communication with payers, and methods for resolving billing disputes between providers and payers.

(h) Physician oversight requirements.

(i) Nursing services.

(j) Staff to client ratios.

(k) Standards requiring a minimum amount of psychiatric supervision of an individual receiving services in the crisis stabilization unit that are consistent with the supervision requirements applicable in a psychiatric hospital or psychiatric unit setting.

(l) Standards requiring implementation and posting of recipients' rights under chapter 7.

(m) Safety and emergency protocols.

(n) Pharmacy services.

(o) Standards addressing administration of medication.

(p) Standards for reporting to the department.

(q) Standards regarding a departmental complaint process and procedure affording patients the right to file complaints for failure to provide services in accordance with required certification standards. The complaint process and procedure must be established and maintained by the department, must remain separate and distinct from providers delivering services under this chapter, and must not be a function delegated to a community mental health services program or an entity under contract with a community mental health services program. The complaint process must provide for a system of appeals and administrative finality.

History: Add. 2020, Act 402, Eff. Mar. 24, 2021.