

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

**330.2005f Transfer of prisoner between state mental health facilities; administrative hearing; emergency transfer; commingling with other recipients of mental health services; rights and privileges.**

Sec. 1005f. (1) A person may be transferred to the center for forensic psychiatry program under this chapter and may be transferred between state mental health facilities upon authorization by the director of the center for forensic psychiatry program. The person is entitled to an administrative hearing pursuant to rules of the department of mental health regarding the need and appropriateness of a transfer to another state mental health facility upon receipt by the director of the center for forensic psychiatry program of the person's objection to the transfer. If an emergency transfer is required, and if objection is made to the transfer, the hearing will be held at the receiving facility.

(2) A person transferred to another state mental health facility under this section shall not be commingled with other recipients of mental health services except in cases in which it is determined by the director of the center for forensic psychiatry program, after consultation with the department of corrections, and pursuant to rules promulgated by the department of mental health, that the person and the other recipients of mental health services exhibit the same propensity for dangerous behavior and require similar treatment plans and modalities.

(3) A person transferred under this section is entitled to all the rights and privileges afforded to other mental health recipients pursuant to chapter 7, except those rights and privileges specifically excluded or modified by law.

**History:** Add. 1978, Act 636, Imd. Eff. Jan. 10, 1979;—Am. 1993, Act 252, Imd. Eff. Nov. 29, 1993.