

**PUBLIC HEALTH CODE (EXCERPT)**

**Act 368 of 1978**

**PART 23**

**BASIC HEALTH SERVICES**

**333.2301 Identification of priority health problems; preparation and basis of proposed list of basic health services.**

Sec. 2301. (1) The department, utilizing broad participation of, and providing ample opportunity for the submission of recommendations by, the individuals and organizations described in section 2302, annually shall identify the priority health problems of this state utilizing state health plans and an assessment procedure based on data and statistics consistent with or provided for in sections 2616 and 2617. Identification of priority health problems related to mental health shall be made with the consultation and advice of the department of mental health. From these priorities, the department annually shall prepare a proposed list of basic preventive, personal, and environmental health services to be made available and accessible to all residents in need of the services in this state without regard for place of residence, marital status, sex, age, race, or inability to pay.

(2) The list of proposed basic health services shall be based upon the capabilities of the health related arts and sciences and upon criteria related to health needs, resources, and performance and shall take into account the services provided by private practitioners and private providers of health services. To the extent that the proposed list of basic health services includes mental health services for which responsibility has been vested in state or local mental health agencies by Act No. 258 of the Public Acts of 1974, as amended, being sections 330.1001 to 330.2106 of the Michigan Compiled Laws, or rules promulgated pursuant to that act, the inclusion of those services in the proposed list shall be subject to the approval of the department of mental health.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Compiler's note:** For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.

**Popular name:** Act 368

**333.2302 Annual budget request to include proposed list of basic health services and proposed program statement; review and comment.**

Sec. 2302. The proposed list of basic health services, the methodology used to derive the list, and a proposed program statement shall be included in the department's annual budget request and shall be made available for review and comment to the legislature, health planning agencies, local health departments, local governmental entities, health professional associations, and the public.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.2305 Proposed program statement; contents.**

Sec. 2305. The proposed program statement shall include:

(a) A statement describing the availability and accessibility of proposed basic health services to all residents in need in this state.

(b) The basic health services proposed to be delivered through the department.

(c) The basic health services proposed to be delivered through other public or nonpublic entities through contracts or other arrangements.

(d) The basic health services proposed to be delivered through local health departments in accordance with the criteria set forth in section 2235.

(e) A description of the methods which will be employed to make persons aware of the availability and accessibility of the proposed basic health services.

(f) A description of the proposed methods and sources of financing the proposed basic health services.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.2311 Proposed health services as basic health services; revision, publication, and dissemination of list and program statement.**

Sec. 2311. Those health services proposed under this part which are funded by appropriations to the

department or which are made available through other arrangements approved by the legislature in the appropriations process are basic health services for purposes of this code. The department shall revise the proposed list of basic health services and the program statement to reflect funds actually appropriated and shall cause the list and program statement, as revised, to be published and widely disseminated.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.2321 Availability and accessibility of basic health services; demonstration upon request; basic health service as required service; notice of nonavailability or nonaccessibility; investigation; notice to complainant.**

Sec. 2321. (1) Upon request, the department shall demonstrate the availability and accessibility of the basic health services in a manner consistent with the revised program statement and this code.

(2) A basic health service designated for delivery through a local health department is a required service under part 24 for the local fiscal year covered by the appropriation.

(3) A person who believes that a basic health service described in the revised program statement is not available or accessible may notify the department. The department shall investigate each written complaint and shall notify the complainant of the availability and source of the service. If there are grounds to believe that the service is not available or accessible, the complainant shall be given written notice, within a reasonable time, of the action proposed to be taken.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368