



House  
Legislative  
Analysis  
Section

Manufacturer's Bank Building, 12th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

INVOLUNTARY COMMITMENT HEARINGS

RECEIVED

OCT 08 1990

House Bill 5879  
Sponsor: Rep. Claude Trim  
Committee: Mental Health

Mich. State Law Library

Complete to 8-20-90

A SUMMARY OF HOUSE BILL 5879 AS INTRODUCED 6-14-90

The Mental Health Code allows mentally ill people who meet certain criteria to be involuntarily hospitalized, but provides for a court hearing on such commitments. The code allows the person who is (or who is to be) hospitalized to have a physician or psychologist perform an independent evaluation and testify at the hearing regarding whether or not the individual should be committed.

The bill would give physicians and psychologists offering such independent testimony limited immunity from civil lawsuits. A physician or psychologist who performed an independent evaluation would not be liable in a civil action for damages or other relief based on his or her testimony, deposition, or report that was part of the independent evaluation. However, the bill would not prohibit civil actions based on gross negligence or willful or wanton misconduct.

MCL 330.1463 and 330.1523

House Bill 5879 (8-20-90)