

HOUSE BILL No. 5768

May 16, 1990, Introduced by Reps. Profit, DeMars, Stabenow, Murphy, Joe Young, Sr., Harrison, Weeks, Niederstadt, Bennett, Kosteva, Hertel, Hollister, DeLange, Trim, Pitoniak, Saunders and Clack and referred to the Committee on Mental Health.

A bill to amend section 244 of Act No. 258 of the Public Acts of 1974, entitled as amended
"Mental health code,"

as amended by Act No. 289 of the Public Acts of 1986, being section 330.1244 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 244 of Act No. 258 of the Public Acts of
2 1974, as amended by Act No. 289 of the Public Acts of 1986, being
3 section 330.1244 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 244. In addition to ~~the~~ OTHER duties and powers
6 ~~elsewhere~~ provided in this chapter, the department shall DO ALL
7 OF THE FOLLOWING:

1 (a) Seek to develop and establish arrangements and
2 procedures for the effective coordination and integration of
3 state services and county program services.

4 (b) Review and evaluate, at times and in a manner the
5 department considers appropriate, the relevancy, quality, effec-
6 tiveness, and efficiency of county programs. In developing or
7 operating its county program information system, the department
8 shall not collect any information that would make it possible to
9 identify by name any individual who receives a service from a
10 county program. Any such information in the possession of the
11 department before August 6, 1974, shall not be disclosed by the
12 department.

13 (c) Provide consultative services to counties seeking to
14 establish a county program, and provide other consultative serv-
15 ices to county programs as the department considers feasible and
16 appropriate.

17 (d) Establish, or approve a county program's establishment
18 of, financial liability schedules, provisions, and procedures for
19 persons who receive mental health services from county programs,
20 in accordance with section 844. A person shall not be denied a
21 county program service because of an inability to pay for the
22 service on the part of those who are financially liable.

23 (e) Audit, or cause to be audited, the expenditure of state
24 funds by county programs. Copies of audit reports shall be for-
25 warded to the auditor general.

26 (f) Promulgate such rules, pursuant to the administrative
27 procedures act of 1969, Act No. 306 of the Public Acts of 1969,

1 as amended, being sections 24.201 to 24.328 of the Michigan
2 Compiled Laws, as it considers necessary or appropriate to imple-
3 ment the objectives and provisions of this chapter.

4 ~~(g) Before planning and locating a specialized residential~~
5 ~~service as defined in section 300, including a residential home,~~
6 ~~in a city, village, or township, seek the advice and consultation~~
7 ~~of the governing body of the city, village, or township in which~~
8 ~~the specialized residential service is proposed to be located.~~

9 PLAN AND LOCATE SPECIALIZED RESIDENTIAL SERVICES AS DEFINED IN
10 SECTION 300, INCLUDING RESIDENTIAL HOMES, IN ORDER TO DO BOTH OF
11 THE FOLLOWING:

12 (i) PREVENT THE CREATION OR PERPETUATION OF SEGREGATED HOUS-
13 ING PATTERNS FOR PERSONS WITH HANDICAPS, AS PROHIBITED BY RULES
14 ISSUED UNDER THE FEDERAL FAIR HOUSING ACT, TITLE VIII OF PUBLIC
15 LAW 90-284, 42 U.S.C. 3601 TO 3619.

16 (ii) ENABLE RESIDENTS TO HAVE A NORMAL LIVING EXPERIENCE AND
17 TO PARTICIPATE FULLY IN THE MAINSTREAM OF COMMUNITY LIFE.

18 Section 2. This amendatory act shall not take effect unless
19 all of the following bills of the 85th Legislature are enacted
20 into law:

21 (a) Senate Bill No. ____ or House Bill No. 5770 (request
22 no. 05528'90).

23 (b) Senate Bill No. ____ or House Bill No. 5769 (request
24 no. 05530'90).

25 (c) Senate Bill No. ____ or House Bill No. 5766 (request
26 no. 05531'90).

1 (d) Senate Bill No. ____ or House Bill No. 5767 (request
2 no. 05532'90).

3 (e) Senate Bill No. ____ or House Bill No. 5771 (request
4 no. 05533'90).