

# HOUSE BILL No. 5848

May 31, 1990, Introduced by Reps. Gilmer, Brown, Wartner,  
Van Regenmorter, Perry Bullard, Hoekman and Profit and referred  
to the Committee on Mental Health.

A bill to amend the title of Act No. 258 of the Public Acts  
of 1974, entitled as amended  
"Mental health code,"  
as amended, being sections 330.1001 to 330.2106 of the Michigan  
Compiled Laws; to add section 221; and to repeal certain parts of  
the act on a specific date.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title of Act No. 258 of the Public Acts of  
2 1974, as amended, being sections 330.1001 to 330.2106 of the  
3 Michigan Compiled Laws, is amended and section 221 is added to  
4 read as follows:

### 5 TITLE

6 An act to modernize, add to, revise, consolidate, and codify  
7 the statutes relating to mental health; to delineate the powers  
8 and duties of the department of mental health; to establish

1 county community mental health programs; to delineate state and  
2 county financial responsibility for public mental health serv-  
3 ices; to create certain funds; to establish procedures for the  
4 civil admission and discharge of mentally ill persons to and from  
5 mental health facilities; to establish procedures for the civil  
6 admission and discharge of mentally retarded and other develop-  
7 mentally disabled persons to and from facilities; to establish  
8 guardianship arrangements for mentally retarded persons; to  
9 establish certain rights of persons who receive mental health  
10 services; to establish financial liability for the receipt of  
11 public mental health services; to establish certain miscellaneous  
12 provisions relating to mental health; to establish procedures  
13 pertaining to mentally ill and mentally retarded persons who are  
14 under criminal sentence, to persons who are mentally incompetent  
15 to stand trial, and to persons who have been found not guilty by  
16 reason of insanity; ~~and~~ to repeal certain acts and parts of  
17 acts; AND TO REPEAL CERTAIN PARTS OF THIS ACT ON A SPECIFIC  
18 DATE.

19        SEC. 221. (1) IF A COUNTY BOARD OF COMMISSIONERS OR COUNTY  
20 EXECUTIVE HAS ESTABLISHED A COUNTY HUMAN SERVICES OR HUMAN  
21 RESOURCES DEPARTMENT BEFORE JANUARY 1, 1990 TO PROVIDE COORDINA-  
22 TION OR INTEGRATION OF HUMAN SERVICES WITHIN THE COUNTY, THE GOV-  
23 ERNING BOARD OF THE COUNTY HUMAN SERVICES OR HUMAN RESOURCES  
24 DEPARTMENT SHALL ASSUME, ON A DEMONSTRATION BASIS, THE POWERS AND  
25 DUTIES GIVEN IN THIS ACT TO THE COUNTY COMMUNITY MENTAL HEALTH  
26 BOARD.

1       (2) AT LEAST ONCE A YEAR, THE DEPARTMENT SHALL EVALUATE THE  
2 GOVERNING BOARD OF A COUNTY HUMAN SERVICES OR HUMAN RESOURCES  
3 DEPARTMENT THAT HAS ASSUMED THE POWERS AND DUTIES OF A COMMUNITY  
4 MENTAL HEALTH BOARD UNDER SUBSECTION (1). THE EVALUATION SHALL  
5 INCLUDE ALL OF THE FOLLOWING:

6       (A) THE GOVERNING BOARD'S ABILITY TO PERFORM ITS DUTIES  
7 RELATING TO THE PROVISION OF MENTAL HEALTH SERVICES.

8       (B) THE GOVERNING BOARD'S ACCESSIBILITY TO CONSUMERS, PRO-  
9 VIDERS, AND ADVOCATES OF MENTAL HEALTH SERVICES WHEN THE GOVERN-  
10 ING BOARD IS DISCUSSING MATTERS PERTAINING TO PUBLIC MENTAL  
11 HEALTH SERVICES.

12       (3) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 1993.