

HOUSE BILL No. 5895

June 21, 1990, Introduced by Reps. Profit and Barns and referred to the Committee on Public Health.

A bill to amend section 6107 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," being section 333.6107 of the Michigan Compiled Laws; and to add section 6239.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6107 of Act No. 368 of the Public Acts
2 of 1978, being section 333.6107 of the Michigan Compiled Laws, is
3 amended and section 6239 is added to read as follows:

4 Sec. 6107. (1) "Staff" means an individual working, with
5 or without remuneration, in or for an approved service program or
6 emergency medical service.

7 (2) "State administered funds" means revenues identified in
8 section 6203(b) and other ~~moneys~~ MONEY appropriated by the

1 state legislature exclusively for the purposes provided for in
2 this article.

3 (3) "Substance abuse" means the taking of alcohol or other
4 drugs at dosages that place an individual's social, economic,
5 psychological, and physical welfare in potential hazard or to the
6 extent that an individual loses the power of self-control as a
7 result of the use of alcohol or drugs, or while habitually under
8 the influence of alcohol or drugs, endangers public health,
9 morals, safety, or welfare, or a combination thereof.

10 (4) "Substance abuse prevention services" means those serv-
11 ices ~~which~~ THAT reduce the risk of individuals developing prob-
12 lems that could require entry into the substance abuse treatment
13 system, including crisis intervention for potential substance
14 abusers.

15 (5) "Substance abuse treatment and rehabilitation services"
16 means the providing of identifiable services including:

17 (a) Crisis intervention counseling services for individuals
18 who are current or former substance abusers.

19 (b) Referral services for individuals who are substance
20 abusers, their families, and the general public.

21 (c) Planned treatment services, including chemotherapy,
22 counseling, or rehabilitation for individuals physiologically or
23 psychologically dependent upon or abusing alcohol or drugs.

24 (6) "Transfer facility" means a facility designated by the
25 administrator which is physically located in a jail or lockup and
26 which is staffed by at least 1 designated representative when in
27 use pursuant to this article.

1 (7) "Treatment" means an emergency, outpatient,
2 intermediate, or inpatient service and care, and EXCEPT AS OTHER-
3 WISE PROVIDED IN SECTION 6239, may include diagnostic evaluation,
4 medical, psychiatric, psychological, social service care, and
5 referral services ~~which~~ THAT may be extended to an individual
6 who is or appears to be incapacitated.

7 SEC. 6239. IF A PERSON LICENSED UNDER THIS PART TO PROVIDE
8 SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES PERFORMS AN
9 INITIAL ASSESSMENT OF AN INDIVIDUAL TO DETERMINE WHETHER OR NOT
10 THE INDIVIDUAL IS A SUBSTANCE ABUSER, THE LICENSEE SHALL NOT PRO-
11 VIDE THE INDIVIDUAL WITH ANY OTHER SUBSTANCE ABUSE TREATMENT AND
12 REHABILITATION SERVICES. A LICENSEE MAY REFER AN INDIVIDUAL FOR
13 AN INITIAL ASSESSMENT FOR SUBSTANCE ABUSE TO A HEALTH PROFES-
14 SIONAL OR ANOTHER LICENSEE WHO DOES NOT HAVE A FINANCIAL INTEREST
15 IN THE REFERRING LICENSEE AND WHO IS NOT EMPLOYED BY OR UNDER
16 CONTRACT TO THE REFERRING LICENSEE.