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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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House Bill 4712

Sponsor: Representative Debbie Farhat

House Committee: Mental Health

Senate Committee: Education and Mental Health

Date Completed: 10-22-87

SUMMARY OF HOUSE BILL 4712 as passed by the House:

The bill would amend the Mental Health Code to require the Governor to designate an agency to implement a program for the protection and advocacy of the rights of developmentally disabled and mentally ill persons, pursuant to the Federal Developmentally Disabled Assistance and Bill of Rights Act and the Protection and Advocacy for Mentally Ill Individuals Act, respectively.

The agency would have the authority to pursue legal, administrative, and other appropriate remedies to protect the rights of the developmentally disabled and mentally ill persons and to investigate allegations of abuse and neglect. The agency would be independent of any State agency that provides treatment or services, other than advocacy services, to developmentally disabled or mentally ill persons.

The Governor would be required to designate an "appropriate" State official to serve as liaison between the agency and the State departments and agencies that provide services to developmentally disabled persons and mentally ill persons.

The bill would repeal a section of the Mental Health Code that requires the Governor to implement a program for the protection and advocacy of the rights of developmentally disabled persons.

MCL 330.1748 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

No fiscal impact is anticipated as a result of the proposed amendment because the Department of Mental Health currently provides protection and advocacy services to the State's mentally ill population. The Department contracts with an independent agency, Michigan Protection and Advocacy Services, Inc., to provide the services throughout the State agency system. The service contract amount has been a line item in the Department's appropriation bill since FY 1984-85.

In FY 1984-85, \$104,000 was appropriated for protection and advocacy services for mentally ill clients. The amount appropriated for protection and advocacy services for mentally ill clients in FY 1987-88 is \$365,200. In the appropriations for FY 1984-85 through FY 1987-88, the contract line amount has contained an economic increase for services. Another increase is not anticipated for FY 1987-88.

Fiscal Analyst: C. Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.