

# SENATE BILL No. 558

September 26, 2013, Introduced by Senator SCHUITMAKER and referred to the Committee on Judiciary.

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 207a; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **SEC. 207A. (1) EACH COUNTY SHALL HAVE A WRITTEN INTERAGENCY**  
2 **AGREEMENT IN PLACE FOR A COLLABORATIVE PROGRAM TO DIVERT PERSONS**  
3 **WITH SERIOUS MENTAL ILLNESS FROM JUSTICE SYSTEM INVOLVEMENT TO**  
4 **TREATMENT. PARTIES TO THE AGREEMENT SHALL INCLUDE, AT A MINIMUM,**  
5 **ALL OF THE FOLLOWING:**

- 6           **(A) THE COUNTY SHERIFF'S DEPARTMENT.**  
7           **(B) THE COUNTY PROSECUTOR'S OFFICE.**  
8           **(C) THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM THAT PROVIDES**

1 SERVICES IN THAT COUNTY.

2 (D) FOR A COUNTY THAT HAS A POPULATION OF OVER 100,000, THE  
3 CHIEF OF POLICE OF ANY CITY WITHIN THAT COUNTY.

4 (E) FOR A COUNTY THAT HAS A POPULATION OF OVER 100,000, THE  
5 CITY ATTORNEY OF ANY CITY WITHIN THAT COUNTY.

6 (2) THE INTERAGENCY AGREEMENT REFERENCED IN SUBSECTION (1)  
7 SHALL, AT A MINIMUM, COVER ALL OF THE FOLLOWING AREAS:

8 (A) GUIDELINES FOR PROGRAM ELIGIBILITY.

9 (B) INTERPARTY COMMUNICATION AND COORDINATION.

10 (C) DAY-TO-DAY PROGRAM ADMINISTRATION.

11 (D) INVOLVEMENT OF SERVICE CONSUMERS, FAMILY MEMBERS, AND  
12 OTHER STAKEHOLDERS.

13 (E) HOW THE PROGRAM SHALL WORK WITH LOCAL COURTS.

14 (F) HOW THE PROGRAM SHALL ADDRESS POTENTIAL PARTICIPANTS  
15 BEFORE AND AFTER CRIMINAL CHARGES HAVE BEEN FILED.

16 (G) RESOURCE SHARING BETWEEN THE PARTIES TO THE INTERAGENCY  
17 AGREEMENT.

18 (H) SCREENING AND ASSESSMENT PROCEDURES.

19 (I) GUIDELINES FOR CASE MANAGEMENT.

20 (J) HOW THE PROGRAM DESCRIBED IN SUBSECTION (1) WILL WORK WITH  
21 LOCAL JAILS.

22 (K) CRITERIA FOR COMPLETING THE PROGRAM DESCRIBED IN  
23 SUBSECTION (1).

24 (L) MENTAL HEALTH TREATMENT SERVICES THAT ARE AVAILABLE THROUGH  
25 THE PROGRAM DESCRIBED IN SUBSECTION (1).

26 (M) PROCEDURES FOR FIRST RESPONSE TO POTENTIAL CASES,  
27 INCLUDING RESPONSE TO CRISES.

1           (N) HOW THE ADMINISTRATORS OF THE PROGRAM DESCRIBED IN  
2 SUBSECTION (1) WILL REPORT THE PROGRAM'S ACTIONS AND OUTCOMES TO  
3 THE PUBLIC.

4           (3) THE DEPARTMENT AND OTHER PARTIES TO THE INTERAGENCY  
5 AGREEMENT MAY ESTABLISH ADDITIONAL POLICIES AND PROCEDURES TO BE  
6 INCLUDED IN THE COUNTY INTERAGENCY AGREEMENT REQUIRED UNDER THIS  
7 SECTION.

8           (4) THE DEPARTMENT AND OTHER PARTIES TO THE INTERAGENCY  
9 AGREEMENT SHALL PROMULGATE RULES TO IMPLEMENT THIS SECTION  
10 ACCORDING TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA  
11 306, MCL 24.201 TO 24.328, THAT INCLUDE INCENTIVES FOR COMPLIANCE  
12 WITH THE REQUIREMENTS OF THIS SECTION AND SANCTIONS FOR INSTANCES  
13 OF NONCOMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

14           Enacting section 1. Section 207 of the mental health code,  
15 1974 PA 258, MCL 330.1207, is repealed.