

Act No. 28
Public Acts of 2014
Approved by the Governor
March 6, 2014
Filed with the Secretary of State
March 6, 2014
EFFECTIVE DATE: March 6, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Senator Schuitmaker

ENROLLED SENATE BILL No. 558

AN ACT to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," (MCL 330.1001 to 330.2106) by adding section 207a.

The People of the State of Michigan enact:

Sec. 207a. (1) Not later than October 1, 2014, each county shall have a written interagency agreement in place for a collaborative program to provide mental health treatment and assistance, if permitted by law and considered appropriate, to persons with serious mental illness who are considered at risk for 1 or more of the following:

- (a) Entering the criminal justice system.
- (b) Not receiving needed mental health treatment services during a period of incarceration in a county jail.
- (c) Not receiving needed mental health treatment services upon release or discharge from incarceration in a county jail.
- (d) Being committed to the jurisdiction of the department of corrections.
- (2) Parties to the interagency agreement referenced in subsection (1) shall include, at a minimum, all of the following:
 - (a) The county sheriff's department.
 - (b) The county prosecutor's office.
 - (c) The community mental health services program that provides services in that county.
 - (d) The county board of commissioners.
- (e) A district court judge who serves in that county or, if there is more than 1 district in the county, a district court judge who serves in the county who is designated either by the chief judge of a district court within that county or a chief judge with authority over a district court in that county.
- (f) A circuit court judge who serves in that county who is designated either by the chief judge of the circuit court or by a chief judge with authority over the circuit court in that county.
- (3) The interagency agreement referenced in subsection (1) shall, at a minimum, cover all of the following areas:
 - (a) Guidelines for program eligibility.
 - (b) Interparty communication and coordination.

- (c) Day-to-day program administration.
- (d) Involvement of service consumers, family members, and other stakeholders.
- (e) How the program shall work with local courts.
- (f) How the program shall address potential participants before and after criminal charges have been filed.
- (g) Resource sharing between the parties to the interagency agreement.
- (h) Screening and assessment procedures.
- (i) Guidelines for case management.
- (j) How the program described in subsection (1) will work with county jails.
- (k) Criteria for completing the program described in subsection (1).
- (l) Mental health treatment services that are available through the program described in subsection (1).
- (m) Procedures for first response to potential cases, including response to crises.

(n) How the administrators of the program described in subsection (1) will report the program's actions and outcomes to the public.

(4) A county that has a written interagency agreement referenced in subsection (1) in place on the effective date of the amendatory act that added this section may maintain that interagency agreement, but must ensure that its interagency agreement contains all of the provisions described in subsection (3).

(5) The department, the state court administrative office, and parties to the interagency agreement may establish additional policies and procedures to be included in the county interagency agreement required under this section.

(6) The department may promulgate rules to implement this section according to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(7) A county is not required to provide funds for the program described in subsection (1). In implementing the provisions of this section, a county is required to expend funds for the program described in subsection (1) only to the extent appropriated annually by the legislature for the program.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor