

**SUBSTITUTE FOR
HOUSE BILL NO. 5439**

A bill to amend 1974 PA 258, entitled
"Mental health code,"
(MCL 330.1001 to 330.2106) by adding section 151.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 151. (1) AS USED IN THIS SECTION:**

2 **(A) "PSYCHIATRIC FACILITY" MEANS A PSYCHIATRIC HOSPITAL OR**
3 **PSYCHIATRIC UNIT LICENSED UNDER SECTION 134.**

4 **(B) "REGISTRY" MEANS THE INPATIENT PSYCHIATRIC BED REGISTRY**
5 **CREATED IN SUBSECTION (2).**

6 **(2) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER AN**
7 **ELECTRONIC INPATIENT PSYCHIATRIC BED REGISTRY. THE REGISTRY SHALL**
8 **BE A WEB-BASED RESOURCE TO IDENTIFY AVAILABLE PSYCHIATRIC BEDS IN**
9 **THIS STATE CATEGORIZED BY PATIENT GENDER, ACUITY, AGE, AND**

1 DIAGNOSIS. THE REGISTRY MUST BE ACCESSIBLE THROUGH THE DEPARTMENT'S
2 WEBSITE.

3 (3) THE DEPARTMENT MAY, BY CONTRACT, DELEGATE CREATING,
4 OPERATING, AND MAINTAINING THE REGISTRY TO A PRIVATE ENTITY.

5 (4) PSYCHIATRIC FACILITIES AND OTHER PROVIDERS DETERMINED BY
6 THE DEPARTMENT MUST PROVIDE THE DEPARTMENT WITH THE NUMBER OF
7 INPATIENT PSYCHIATRIC BEDS AVAILABLE IN THOSE FACILITIES AT THE
8 TIME THE INFORMATION IS PROVIDED. THE INFORMATION MUST BE PROVIDED
9 BY THE PSYCHIATRIC FACILITIES AND OTHER PROVIDERS ON A BASIS AS
10 CLOSE TO REAL TIME AS POSSIBLE. PSYCHIATRIC FACILITIES AND OTHER
11 PROVIDERS MUST PROVIDE THE DEPARTMENT WITH THIS INFORMATION AS
12 SPECIFIED UNDER SUBSECTION (7).

13 (5) THE REGISTRY SHALL BE MADE ACCESSIBLE TO PREPAID INPATIENT
14 HEALTH PLANS, LICENSED HEALTH PLANS, COMMUNITY MENTAL HEALTH
15 SERVICES PROGRAMS, ACUTE CARE HOSPITALS, PSYCHIATRIC FACILITIES,
16 AND EMPLOYEES AND CAREGIVERS WITH OTHER APPROPRIATE PROVIDERS.

17 (6) THE DEPARTMENT SHALL CREATE A COMMITTEE TO PROVIDE
18 GUIDANCE ON CREATING, OPERATING, AND MAINTAINING THE REGISTRY. THE
19 COMMITTEE SHALL INCLUDE REPRESENTATIVES FROM THE FOLLOWING GROUPS:

20 (A) THE DEPARTMENT.

21 (B) THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS.

22 (C) PSYCHIATRIC FACILITIES.

23 (D) END USERS OF THE REGISTRY AS DESCRIBED UNDER SUBSECTION

24 (5).

25 (E) CONSUMERS, FAMILIES, AND ADVOCATES.

26 (F) LAW ENFORCEMENT.

27 (7) THE DEPARTMENT SHALL ESTABLISH REQUIREMENTS FOR

1 PSYCHIATRIC FACILITIES AND OTHER PROVIDERS AS DETERMINED BY THE
2 DEPARTMENT TO REPORT INFORMATION TO THE DEPARTMENT IN CONSULTATION
3 WITH THE COMMITTEE ESTABLISHED UNDER SUBSECTION (6) .

4 (8) THE DEPARTMENT SHALL PROVIDE QUARTERLY REPORTS ON THE
5 PROGRESS OF IMPLEMENTING THE REGISTRY BEGINNING ON THE FIRST
6 QUARTER AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
7 THIS SECTION. THE DEPARTMENT MUST PROVIDE THESE QUARTERLY REPORTS
8 TO THE CHAIRS OF THE HOUSE AND SENATE COMMITTEES ON HEALTH POLICY
9 AND THE CHAIRS OF THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES
10 FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

11 (9) THE DEPARTMENT, IN CONSULTATION WITH THE COMMITTEE
12 ESTABLISHED UNDER SUBSECTION (6) , MAY ESTABLISH A POLICY FOR THE
13 SECONDARY USE OF REGISTRY DATA.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.