

HOUSE BILL NO. 4833

June 22, 2023, Introduced by Rep. Puri and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 6233, 6235, 6236, and 6251 (MCL 333.6233,
333.6235, 333.6236, and 333.6251), as amended by 2012 PA 501.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6233. (1) ~~A~~ **Except as provided under subsection (3), a**
2 ~~person not otherwise licensed to provide psychological, medical, or~~
3 ~~social services~~ shall not establish, conduct, or maintain a
4 substance use disorder services program **that offers treatment or**

1 **rehabilitation services** unless it is licensed under this part.

2 (2) The department shall establish a licensing unit to
3 administer the licensing functions of this part.

4 ~~(3) This section does not apply to a private, nonprofit~~
5 ~~organization exempt under section 501(c)(3) of the internal revenue~~
6 ~~code, 26 USC 501, that has been in existence since before September~~
7 ~~30, 1965 and whose major purpose is to provide residential services~~
8 ~~for the redirection and improvement of drug abusers and other~~
9 ~~character disordered individuals.~~

10 (3) A license under this part is not required by any of the
11 following:

12 (a) A person that is otherwise licensed to provide
13 psychological, medical, or social services.

14 (b) A person that provides substance use disorder prevention
15 services.

16 (c) A hospital licensed under article 17.

17 (d) A psychiatric hospital or psychiatric unit licensed under
18 section 134 of the mental health code, 1974 PA 258, MCL 330.1134.

19 Sec. 6235. (1) An application for a license ~~shall~~**must** be in a
20 form prescribed by the department and ~~shall~~ authorize the director
21 to obtain from any source information as to the ability of the
22 applicant to comply with this part and rules promulgated under this
23 part.

24 (2) An applicant for an initial license shall include evidence
25 of notice to churches, schools, and incorporated nonprofit civic
26 organizations in the applicant's service delivery area of its
27 intent to provide substance use disorder **treatment or**
28 **rehabilitation** services.

29 Sec. 6236. ~~The department shall provide an opportunity for~~

1 ~~individuals in the applicant's service delivery area to comment~~
2 ~~before the issuance of a license to the applicant.~~ The department
3 shall make the decision to issue or deny a license based on the
4 applicant's ability to comply with the requirements of this part
5 and rules promulgated under this part. If the administrative
6 decision is the denial of a license, the department shall describe
7 the reasons for the denial in writing to the applicant at the time
8 the decision is rendered.

9 Sec. 6251. Notwithstanding ~~the existence of~~ any other remedy,
10 the department may maintain an action in the name of this state for
11 an injunction or other process against a person to restrain or
12 prevent the establishment, conduct, management, or operation of a
13 substance use disorder services program **offering treatment or**
14 **rehabilitation services** without a license or ~~where~~ **if** operation of
15 the licensee's program is likely to result in serious harm to
16 recipients of the substance use disorder **treatment or**
17 **rehabilitation** services.