

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1400 Definitions.**

Sec. 400.

As used in this chapter, unless the context requires otherwise:

(a) "Clinical certificate" means the written conclusion and statements of a physician or a licensed psychologist that an individual is a person requiring treatment, together with the information and opinions, in reasonable detail, that underlie the conclusion, on the form prescribed by the department or on a substantially similar form.

(b) "Competent clinical opinion" means the clinical judgment of a physician, psychiatrist, or licensed psychologist.

(c) "Court" means the probate court or the court with responsibility with regard to mental health services for the county of residence of the subject of a petition, or for the county in which the subject of a petition was found.

(d) "Formal voluntary hospitalization" means hospitalization of an individual based on both of the following:

(i) The execution of an application for voluntary hospitalization by the individual or by a patient advocate designated under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, to make mental health treatment decisions for the individual.

(ii) The hospital director's determination that the individual is clinically suitable for voluntary hospitalization.

(e) "Informal voluntary hospitalization" means hospitalization of an individual based on all of the following:

(i) The individual's request for hospitalization.

(ii) The hospital director's determination that the individual is clinically suitable for voluntary hospitalization.

(iii) The individual's agreement to accept treatment.

(f) "Involuntary mental health treatment" means court-ordered hospitalization, assisted outpatient treatment, or combined hospitalization and assisted outpatient treatment as described in section 468. For the purpose of this chapter, involuntary mental health treatment does not include a full or limited guardian authorized under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, with the authority to consent to mental health treatment for an individual found to be a legally incapacitated individual under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206.

(g) "Mental illness" means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

(h) "Preadmission screening unit" means a service component of a community mental health services program established under section 409.

(i) "Private-pay patient" means a patient whose services and care are paid for from funding sources other than the community mental health services program, the department, or other state or county funding.

(j) "Release" means the transfer of an individual who is subject to an order of combined hospitalization and assisted outpatient treatment from 1 treatment program to another in accordance with his or her individual plan of services.

(k) "Subject of a petition" means an individual regarding whom a petition has been filed with the court asserting that the individual is or is not a person requiring treatment or for whom an objection to involuntary mental health treatment has been made under section 484.

**History:** 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1978, Act 598, Imd. Eff. Jan. 4, 1979 ;-- Am. 1982, Act 402, Imd. Eff. Dec. 28, 1982 ;-- Am. 1986, Act 45, Imd. Eff. Mar. 17, 1986 ;-- Am. 1986, Act 117, Eff. Mar. 31, 1987 ;-- Am. 1986, Act 297, Imd. Eff. Dec. 22, 1986 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2004, Act 553, Imd. Eff. Jan. 3, 2005 ;-- Am. 2018, Act 593, Eff. Mar. 28, 2019 ;-- Am. 2018, Act 595, Eff. Mar. 28, 2019

**Admin Rule:** R 330.1001 et seq. of the Michigan Administrative Code.