

HOUSE BILL No. 4780

May 2, 1991, Introduced by Reps. Brown, Gubow, Gilmer and Shugars
and referred to the Committee on Mental Health.

A bill to amend sections 212, 214, 216, 219, 222, and 224 of
Act No. 258 of the Public Acts of 1974, entitled as amended
"Mental health code,"
section 212 as amended and section 219 as added by Act No. 265 of
the Public Acts of 1986, being sections 330.1212, 330.1214,
330.1216, 330.1219, 330.1222, and 330.1224 of the Michigan
Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 212, 214, 216, 219, 222, and 224 of Act
2 No. 258 of the Public Acts of 1974, section 212 as amended and
3 section 219 as added by Act No. 265 of the Public Acts of 1986,
4 being sections 330.1212, 330.1214, 330.1216, 330.1219, 330.1222,
5 and 330.1224 of the Michigan Compiled Laws, are amended to read
6 as follows:

1 Sec. 212. Upon electing to establish a county program, the
 2 county or combination of counties shall establish a ~~+2 member~~
 3 county community mental health board ~~, except as provided in~~
 4 ~~sections 214, 219, or 222(2). Each~~ CONSISTING OF 12, 14, OR 16
 5 MEMBERS, AT THE OPTION OF THE COUNTY OR COUNTIES. EXCEPT AS PRO-
 6 VIDED OTHERWISE IN SECTION 216, EACH board of commissioners shall
 7 by a majority vote appoint the board members from its county.
 8 Recommended appointments to the board shall be made annually fol-
 9 lowing the organizational meeting of the board of commissioners.

10 Sec. 214. ~~When~~ EXCEPT AS PROVIDED OTHERWISE IN
 11 SECTION 216, WHEN a single county establishes a board, all board
 12 members shall be representatives of that county. When a combina-
 13 tion of counties establishes a board, the board memberships shall
 14 be divided among the counties in proportion to each county's pop-
 15 ulation, except that each county shall be entitled to at least
 16 ~~one~~ 1 board membership.

17 Sec. 216. Notwithstanding ~~the provisions of~~ sections 212
 18 and 214, when a single county establishes a county program and
 19 totally situated within that county is a city having a population
 20 of at least 500,000, ~~6~~ 1/2 of the ~~+2~~ board members shall be
 21 appointed to the board by the city's chief executive officer.
 22 The ~~6~~ board members appointed by the city shall be residents of
 23 the city, and the ~~6~~ board members appointed by the county shall
 24 be residents of the county but not of the city.

25 Sec. 219. ~~(1) Any~~ A county having an established county
 26 program may elect to merge with an established county program in
 27 an adjoining county. A merger shall be approved by a majority

1 vote of the board of commissioners of each participating county,
2 and shall become effective on January 1 immediately following the
3 date of final approval. UPON APPROVAL OF THE MERGER, THE BOARDS
4 OF COMMISSIONERS SHALL CREATE A NEW COUNTY COMMUNITY MENTAL
5 HEALTH BOARD PURSUANT TO SECTIONS 212 AND 214.

6 ~~(2) The board of commissioners of each participating county~~
7 ~~may elect by a majority vote to appoint 1 or more of the commu-~~
8 ~~nity mental health board members to the new board, even if that~~
9 ~~action would result in a size or composition of the board which~~
10 ~~is different than that provided for in sections 212, 214, and~~
11 ~~222.~~

12 ~~(3) If the board of commissioners of 1 or more participating~~
13 ~~counties does not agree to permit appointment of members to the~~
14 ~~new board in the manner provided in subsection (2), the new board~~
15 ~~shall be appointed in the manner provided in sections 212, 214,~~
16 ~~and 222.~~

17 ~~(4) A new board which, pursuant to subsection (2), is dif-~~
18 ~~ferent in size or composition than that provided for in section~~
19 ~~212, 214, or 222 shall be brought into compliance with those sec-~~
20 ~~tions not later than 3 years after the date of merger.~~

21 Sec. 222. (1) The composition of a county community mental
22 health board shall REFLECT THE DIVERSITY OF THE POPULATION OF THE
23 COUNTY OR COUNTIES AND SHALL be representative, ~~of providers~~
24 BUT NOT IN ANY FIXED PROPORTION, OF ALL OF THE FOLLOWING:

25 (A) PROVIDERS of mental health services. ~~, recipients or~~
26 ~~consumers~~

(B) CONSUMERS of mental health services. ~~agencies~~

(C) RELATIVES OF CONSUMERS OF MENTAL HEALTH SERVICES.

(D) ADVOCATES FOR CONSUMERS OF MENTAL HEALTH SERVICES.

(E) AGENCIES and occupations having a working involvement with mental health services. ~~and the~~

(F) THE general public. ~~although such representation need not be in any fixed proportion.~~

(2) Not more than 4 members of a board may be county commissioners, except that when a board represents 5 or more counties, the number of county commissioners who may serve on the board may equal the number of counties represented on the board. ~~and the~~

~~total of 12 board memberships shall be increased by the number of county commissioners serving on the board that exceeds 4. No~~

NOT more than ~~half~~ 1/2 of the total board members may be state, county, or local public officials. For purposes of this section, public officials are defined as persons serving in an elected or appointed public office. ~~or employed more than 20 hours per week by an agency of federal, state, city, or local government.~~

(3) ~~A board member shall have his primary place of residence in the county he represents. An employee of the department, an employee of the county program, or an employee or representative of an agency having a contractual relationship with the county program may not be appointed to serve on a board. A~~

PERSON SHALL NOT SERVE ON A BOARD IF HE OR SHE IS 1 OR MORE OF THE FOLLOWING:

(A) EMPLOYED BY THE DEPARTMENT.

1 (B) EMPLOYED BY THE COUNTY PROGRAM.

2 (C) UNDER CONTRACT WITH THE COUNTY PROGRAM.

3 (D) SERVING IN A POLICY-MAKING POSITION WITH AN ENTITY UNDER
4 CONTRACT WITH THE COUNTY PROGRAM.

5 Sec. 224. The term of office of a board member shall be 3
6 years from January 1 of the year of appointment, except that of
7 the members first appointed, 4 shall be appointed for a term of 1
8 year, 4 for 2 years, and 4 for 3 years. THE TERMS OF ADDITIONAL
9 BOARD MEMBERS BEYOND 12 SHALL BE STAGGERED IN A SIMILAR MANNER. A
10 vacancy shall be filled for THE REMAINDER OF an unexpired term in
11 the same manner as an original appointment. A board member may
12 be removed from office by the appointing ~~board of commissioners~~
13 AUTHORITY for neglect of official duty or misconduct in office
14 after being given a written statement of reasons and an opportu-
15 nity to be heard on the removal. A board member shall be paid a
16 per diem ~~no larger~~ NOT MORE than the highest per diem for mem-
17 bers of other county advisory boards set by the county board of
18 commissioners and be reimbursed for necessary travel expenses for
19 each meeting attended. The mileage expense fixed by the county
20 board of commissioners shall not exceed the mileage reimbursement
21 as determined by the state officers compensation commission. A
22 board member shall not receive more than ~~one~~ 1 per diem payment
23 per day regardless of the number of meetings scheduled by the
24 board for that day. The department shall reimburse the county
25 pursuant to departmental regulations for county allotments and
26 matchable expenses for per diem payments as well as the number of
27 meetings per year.