

Legislative Analysis



REPORTING REQUIREMENTS FOR MICHIGAN CRISIS AND ACCESS LINE

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<http://www.house.mi.gov/hfa>

House Bills 4043 and 4044 as reported from committee

Sponsor: Rep. Mary Whiteford

Committee: Health Policy

Complete to 2-25-21

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Acts 21 and 22 of 2021)

SUMMARY:

House Bills 4043 and 4044 would amend the Mental Health Code to modify reporting requirements related to the Michigan Crisis and Access Line (MiCAL) created by 2020 PA 12.¹ That access line, established for individuals experiencing a mental health crisis, is a telephone referral system that will be available 24 hours a day, 7 days a week.²

Currently, in addition to other requirements, a contractor operating or maintaining MiCAL must have the ability to access information related to the availability of services, including near-real-time access to any registry of available inpatient psychiatric beds, crisis residential beds, and substance use disorder beds. **House Bill 4044** would require the contractors maintaining the access line to inform individuals seeking behavioral health care that bed registry data may not be accurate and bed availability is not guaranteed.

Any such state-operated registry would also have to report all data collected for the registry to the Department of Health and Human Services (DHHS) or the entity contracted to operate or maintain MiCAL.

Under HB 4044, the Department of Licensing and Regulatory Affairs (LARA) would have to provide behavioral health provider licensure data to DHHS. Currently, DHHS must work with contractors to leverage existing databases and other sources of information and to utilize the most current provider information available. The bill would make that collaboration optional for DHHS.

A health facility, health professional, or contractor could not be held civilly or criminally liable for inaccurate registry data that is shared as provided in HB 4044.

Additionally, 2018 PA 658³ established an electronic inpatient psychiatric bed registry, with beds categorized by patient gender, acuity, age, and diagnosis. **House Bill 4043** would require DHHS to provide the information listed on the registry to the contractor or entity that operates or maintains MiCAL.

HB 4043: MCL 330.1165

HB 4044: MCL 330.1151

¹ House Fiscal Agency analysis of 2020 PA 12 (HB 4051): <http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-4051-EE6CC87D.pdf>

² See [https://www.michigan.gov/documents/mdhhs/MEMO -- Michigan Crisis and Access Line MiCAL Overview and Next Steps 696799 7.pdf](https://www.michigan.gov/documents/mdhhs/MEMO_-_Michigan_Crisis_and_Access_Line_MiCAL_Overview_and_Next_Steps_696799_7.pdf)

³ House Fiscal Agency analysis of 2018 PA 658 (HB 5439): <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-5439-7C32C200.pdf>

BRIEF DISCUSSION:

According to committee testimony, the crisis and access line—MiCAL—is expected to streamline collection and distribution of information regarding the state’s psychiatric bed registries. HBs 4043 and 4044 are intended to serve as wrap-up bills on the access line for what is hoped to be the most comprehensive system of this type in the country. In response to questions, the bill sponsor stated that the system was modeled on the parallel system for non-behavioral health that already exists in the state. Two sites are expected to be ready to go live in April: the pilot regions of Oakland County and the Upper Peninsula. The anticipated target date for full implementation across Michigan is fall of 2022.⁴

FISCAL IMPACT:

House Bills 4043 and 4044 would have a negligible fiscal impact on the state and no fiscal impact on local units of government. The data that the state would be required to provide to the Michigan crisis and access line is information that the state is already required to possess, and any costs related to the sharing of that data are likely to be minimal and sufficiently offset by existing appropriations.

POSITIONS:

Representatives of the Department of Health and Human Services testified in support of the bills. (2-11-21)

The following entities indicated support for the bills (2-11-21):

- Michigan Council of Nurse Practitioners
- Oakland Community Health Network

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

⁴ https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_101247---,00.html