

HOUSE BILL NO. 4044

January 27, 2021, Introduced by Rep. Whiteford and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled
"Mental health code,"
by amending section 165 (MCL 330.1165), as added by 2020 PA 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 165. (1) Subject to appropriation, the department shall
2 establish and make available to the public a mental health
3 telephone access line known as the Michigan crisis and access line.

4 (2) The department shall contract for the design, operation,
5 and maintenance of the access line. The access line must be

1 available 24 hours a day, 7 days a week. A contractor operating or
2 maintaining the access line shall do all of the following:

3 (a) Have the ability to access information related to the
4 availability of services, including near real-time access to any
5 registry of available inpatient psychiatric beds, crisis
6 residential beds, and substance use disorder beds.

7 (b) Refer and connect individuals requiring mental health or
8 substance use disorder services to mental health professionals,
9 including, but not limited to, community mental health services
10 programs and prepaid inpatient health plans, using
11 telecommunications and digital communications methods commonly in
12 use, such as a telephone call, text message, electronic mail, and
13 internet chat.

14 (c) Implement practices to comply with all applicable laws
15 respecting individual and patient privacy.

16 (d) Implement practices to ensure the security of the data
17 collected, in line with industry best practices and in compliance
18 with all applicable laws.

19 (e) Notwithstanding subdivisions (c) and (d), collect data and
20 utilize data analytics to track the success of the access line's
21 operations and identify trends in service needs and outcomes.

22 (f) Develop and utilize a customer relationship management
23 infrastructure for the access line to track, monitor, assign,
24 follow up, and report on access line operations. This customer
25 relationship management infrastructure must provide appropriate
26 community and provider access.

27 **(g) Require contractors maintaining the access line to inform**
28 **individuals seeking behavioral health care that bed registry data**
29 **may not be accurate and bed availability is not guaranteed.**

1 (3) The ~~department shall work with the~~ department of licensing
2 and regulatory affairs ~~and~~ **shall provide behavioral health provider**
3 **licensure data to the department. The department may use this data**
4 **and work with** the contractor described in subsection (2) to
5 leverage existing databases and other sources of information
6 identifying mental health professionals providing mental health
7 services and providers of substance use disorder treatment and
8 rehabilitation services and to utilize the most current provider
9 information available.

10 (4) The department has operational oversight for, including
11 access to and utilization of, the customer relationship management
12 infrastructure. Community mental health services programs and
13 prepaid inpatient health plans may access the customer relationship
14 management infrastructure.

15 (5) The access line must be able to support calls relating to
16 services and supports described in section 206.

17 (6) An individual operating or maintaining the access line
18 under contract with the department has the same immunity provided
19 for a governmental employee under section 7 of 1964 PA 170, MCL
20 691.1407.

21 (7) **A state-operated registry of available inpatient**
22 **psychiatric beds, crisis residential beds, or substance use**
23 **disorder beds must report all data collected for that registry to**
24 **the department or the entity operating or maintaining the access**
25 **line under contract with the department.**

26 (8) **A health facility, health professional, or contractor**
27 **shall not be held civilly or criminally liable for inaccurate**
28 **registry data that is shared under this section.**