

HOUSE BILL NO. 5353

September 30, 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 sections 100b, 100c, and 100d (MCL 330.1100b, 330.1100c, and 330.1100d), section 100b as amended by 2020 PA 402, section 100c as amended by 2020 PA 285, and section 100d as amended by 2020 PA 99, and by adding sections 166, 166a, 166b, and 166c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 100b. (1) Except as otherwise provided in this
2 subsection, "facility" means a residential facility for the care or

1 treatment of individuals with serious mental illness, serious
2 emotional disturbance, or developmental disability that is either a
3 state facility or a licensed facility. Facility includes a
4 preadmission screening unit established under section 409 that is
5 operating a crisis stabilization unit.

6 (2) "Family" as used in sections 156 to 161 means an eligible
7 minor and his or her parent or legal guardian.

8 (3) "Family member" means a parent, stepparent, spouse,
9 sibling, child, or grandparent of a primary consumer, or an
10 individual upon whom a primary consumer is dependent for at least
11 50% of his or her financial support.

12 (4) "Federal funds" means funds received from the federal
13 government under a categorical grant or similar program and does
14 not include federal funds received under a revenue sharing
15 arrangement.

16 (5) "Functional impairment" means both of the following:

17 (a) With regard to serious emotional disturbance, substantial
18 interference with or limitation of a minor's achievement or
19 maintenance of 1 or more developmentally appropriate social,
20 behavioral, cognitive, communicative, or adaptive skills.

21 (b) With regard to serious mental illness, substantial
22 interference or limitation of role functioning in 1 or more major
23 life activities including basic living skills such as eating,
24 bathing, and dressing; instrumental living skills such as
25 maintaining a household, managing money, getting around the
26 community, and taking prescribed medication; and functioning in
27 social, vocational, and educational contexts.

28 (6) "Guardian" means a person appointed by the court to
29 exercise specific powers over an individual who is a minor, legally

1 incapacitated, or developmentally disabled.

2 (7) "Hospital" or "psychiatric hospital" means an inpatient
3 program operated by the department for the treatment of individuals
4 with serious mental illness or serious emotional disturbance or a
5 psychiatric hospital or psychiatric unit licensed under section
6 137.

7 (8) "Hospital director" means the chief administrative officer
8 of a hospital or his or her designee.

9 (9) "Hospitalization" or "hospitalize" means to provide
10 treatment for an individual as an inpatient in a hospital.

11 (10) "Incapacitated" means that an individual, as a result of
12 the use of alcohol or other drugs, is unconscious or has his or her
13 mental or physical functioning so impaired that he or she either
14 poses an immediate and substantial danger to his or her own health
15 and safety or is endangering the health and safety of the public.

16 (11) "Individual plan of services" or "plan of services" means
17 a written individual plan of services developed with a recipient as
18 required by section 712.

19 (12) "Individual representative" means a recipient's legal
20 guardian, minor recipient's parent, or other person authorized by
21 law to represent the recipient in decision-making related to the
22 recipient's services and supports.

23 (13) "Intellectual disability" means a condition manifesting
24 before the age of 18 years that is characterized by significantly
25 subaverage intellectual functioning and related limitations in 2 or
26 more adaptive skills and that is diagnosed based on the following
27 assumptions:

28 (a) Valid assessment considers cultural and linguistic
29 diversity, as well as differences in communication and behavioral

1 factors.

2 (b) The existence of limitation in adaptive skills occurs
3 within the context of community environments typical of the
4 individual's age peers and is indexed to the individual's
5 particular needs for support.

6 (c) Specific adaptive skill limitations often coexist with
7 strengths in other adaptive skills or other personal capabilities.

8 (d) With appropriate supports over a sustained period, the
9 life functioning of the individual with an intellectual disability
10 will generally improve.

11 (14) "Licensed facility" means a facility licensed by the
12 department under section 137 or an adult foster care facility.

13 (15) "Licensed psychologist" means a doctoral level
14 psychologist licensed under section 18223(1) of the public health
15 code, 1978 PA 368, MCL 333.18223.

16 (16) "Mediation" means a confidential process in which a
17 neutral third party facilitates communication between parties,
18 assists in identifying issues, and helps explore solutions to
19 promote a mutually acceptable resolution. A mediator does not have
20 authoritative decision-making power.

21 (17) "Medicaid" means the program of medical assistance
22 established under section 105 of the social welfare act, 1939 PA
23 280, MCL 400.105.

24 (18) "Medical director" means a psychiatrist appointed under
25 section 231 to advise the executive director of a community mental
26 health services program.

27 (19) "Mental health professional" means an individual who is
28 trained and experienced in the area of mental illness or
29 developmental disabilities and who is 1 of the following:

1 (a) A physician.

2 (b) A psychologist.

3 (c) A registered professional nurse licensed or otherwise
4 authorized to engage in the practice of nursing under part 172 of
5 the public health code, 1978 PA 368, MCL 333.17201 to 333.17242.

6 (d) A licensed master's social worker licensed or otherwise
7 authorized to engage in the practice of social work at the master's
8 level under part 185 of the public health code, 1978 PA 368, MCL
9 333.18501 to 333.18518.

10 (e) A licensed professional counselor licensed or otherwise
11 authorized to engage in the practice of counseling under part 181
12 of the public health code, 1978 PA 368, MCL 333.18101 to 333.18117.

13 (f) A marriage and family therapist licensed or otherwise
14 authorized to engage in the practice of marriage and family therapy
15 under part 169 of the public health code, 1978 PA 368, MCL
16 333.16901 to 333.16915.

17 (20) "Minor" means an individual under the age of 18 years.

18 **(21) "Mobile crisis team" or "MCT" includes a behavioral**
19 **health professional or peer who provides professional on-site**
20 **community-based intervention including, but not limited to, de-**
21 **escalation and stabilization for an individual who is experiencing**
22 **a behavioral health crisis.**

23 **(22) ~~(21)~~"Multicultural services"** means specialized mental
24 health services for multicultural populations such as African-
25 Americans, Hispanics, Native Americans, Asian and Pacific
26 Islanders, and Arab/Chaldean-Americans.

27 **(23) "National Suicide Prevention Lifeline" or "NSPL" means a**
28 **national network of local crisis centers providing free and**
29 **confidential emotional support to individuals in suicidal crisis or**

1 **emotional distress 24 hours a day, 7 days a week. Membership as an**
2 **NSPL center requires nationally recognized certification that**
3 **includes evidence-based training for all staff and volunteers in**
4 **managing calls.**

5 (24) ~~(22)~~—"Neglect" means an act or failure to act committed
6 by an employee or volunteer of the department, a community mental
7 health services program, or a licensed hospital; a service provider
8 under contract with the department, a community mental health
9 services program, or a licensed hospital; or an employee or
10 volunteer of a service provider under contract with the department,
11 a community mental health services program, or a licensed hospital,
12 that denies a recipient the standard of care or treatment to which
13 he or she is entitled under this act.

14 Sec. 100c. (1) "Peace officer" means an officer of the
15 department of state police or of a law enforcement agency of a
16 county, township, city, or village who is responsible for
17 preventing and detecting crime and enforcing the criminal laws of
18 this state. For the purposes of sections 408, 426, 427a, and 427b,
19 peace officer also includes an officer of the United States Secret
20 Service with the officer's consent and a police officer of the
21 Veterans' Administration Medical Center Reservation.

22 (2) **"Peer" means an individual employed based on his or her**
23 **personal lived experience of mental illness or addiction and**
24 **recovery who meets this state's peer certification requirements**
25 **where applicable.**

26 (3) ~~(2)~~—"Peer review" means a process, including the review
27 process required under section 143a, in which mental health
28 professionals of a state facility, licensed hospital, or community
29 mental health services program evaluate the clinical competence of

1 staff and the quality and appropriateness of care provided to
2 recipients. Peer review evaluations are confidential in accordance
3 with section 748(9) and are based on criteria established by the
4 facility or community mental health services program itself, the
5 accepted standards of the mental health professions, and the
6 department.

7 **(4)** ~~(3)~~—"Person requiring treatment" means an individual who
8 meets the criteria described in section 401.

9 **(5)** ~~(4)~~—"Physician" means an individual licensed or otherwise
10 authorized to engage in the practice of medicine under part 170 of
11 the public health code, 1978 PA 368, MCL 333.17001 to 333.17097, or
12 to engage in the practice of osteopathic medicine and surgery under
13 part 175 of the public health code, 1978 PA 368, MCL 333.17501 to
14 333.17556.

15 **(6)** ~~(5)~~—"Primary consumer" means an individual who has
16 received or is receiving services from the department or a
17 community mental health services program or services from the
18 private sector equivalent to those offered by the department or a
19 community mental health services program.

20 **(7)** ~~(6)~~—"Priority" means preference for and dedication of a
21 major proportion of resources to specified populations or services.
22 Priority does not mean serving or funding the specified populations
23 or services to the exclusion of other populations or services.

24 **(8)** ~~(7)~~—"Protective custody" means the temporary custody of an
25 individual by a peace officer with or without the individual's
26 consent for the purpose of protecting that individual's health and
27 safety, or the health and safety of the public, and for the purpose
28 of transporting the individual under section 276, 408, or 427 if
29 the individual appears, in the judgment of the peace officer, to be

1 a person requiring treatment or is a person requiring treatment.
2 Protective custody is civil in nature and is not an arrest.

3 (9) ~~(8)~~—"Psychiatric residential treatment facility" or "PRTF"
4 means a facility other than a hospital that provides psychiatric
5 services, as described in 42 CFR 441.151 to ~~441.182,~~ **441.184**, in an
6 inpatient setting to individuals under age 21.

7 (10) ~~(9)~~—"Psychiatric unit" means a unit of a general hospital
8 that provides inpatient services for individuals with serious
9 mental illness or serious emotional disturbance. As used in this
10 subsection, "general hospital" means a hospital as defined in
11 section 20106 of the public health code, 1978 PA 368, MCL
12 333.20106.

13 (11) ~~(10)~~—"Psychiatrist" means 1 or more of the following:

14 (a) A physician who has completed a residency program in
15 psychiatry approved by the Accreditation Council for Graduate
16 Medical Education or the American Osteopathic Association, or who
17 has completed 12 months of psychiatric rotation and is enrolled in
18 an approved residency program as described in this subdivision.

19 (b) A psychiatrist employed by or under contract with the
20 department or a community mental health services program on March
21 28, 1996.

22 (c) A physician who devotes a substantial portion of his or
23 her time to the practice of psychiatry and is approved by the
24 director.

25 (12) ~~(11)~~—"Psychologist" means an individual who is licensed
26 or otherwise authorized to engage in the practice of psychology
27 under part 182 of the public health code, 1978 PA 368, MCL
28 333.18201 to 333.18237, and who devotes a substantial portion of
29 his or her time to the diagnosis and treatment of individuals with

1 serious mental illness, serious emotional disturbance, substance
2 use disorder, or developmental disability.

3 **(13)** ~~(12)~~—"Public patient" means an individual approved for
4 mental health services by a community mental health services
5 program. Public patient includes an individual who is admitted as a
6 patient under section 423, 429, or 438.

7 **(14)** ~~(13)~~—"Recipient" means an individual who receives mental
8 health services, either in person or through telemedicine, from the
9 department, a community mental health services program, or a
10 facility or from a provider that is under contract with the
11 department or a community mental health services program. For the
12 purposes of this act, recipient does not include an individual
13 receiving substance use disorder services under chapter 2A unless
14 that individual is also receiving mental health services under this
15 act in conjunction with substance use disorder services.

16 **(15)** ~~(14)~~—"Recipient rights advisory committee" means a
17 committee of a community mental health services program board
18 appointed under section 757 or a recipient rights advisory
19 committee appointed by a licensed hospital under section 758.

20 **(16)** ~~(15)~~—"Recovery" means a highly individualized process of
21 healing and transformation by which the individual gains control
22 over his or her life. Related services include recovery management,
23 recovery support services, recovery houses or transitional living
24 programs, and relapse prevention. Recovery involves the development
25 of a new meaning, purpose, and growing beyond the impact of
26 addiction or a diagnosis. Recovery may include the pursuit of
27 spiritual, emotional, mental, or physical well-being.

28 **(17)** ~~(16)~~—"Regional entity" means an entity established under
29 section 204b to provide specialty services and supports.

1 **(18)** ~~(17)~~—"Rehabilitation" means the act of restoring an
 2 individual to a state of mental and physical health or useful
 3 activity through vocational or educational training, therapy, and
 4 counseling.

5 **(19)** ~~(18)~~—"Resident" means an individual who receives services
 6 in a facility.

7 **(20)** ~~(19)~~—"Responsible mental health agency" means the
 8 hospital, center, or community mental health services program that
 9 has primary responsibility for the recipient's care or for the
 10 delivery of services or supports to that recipient.

11 **(21)** ~~(20)~~—"Rule" means a rule promulgated under the
 12 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
 13 24.328.

14 Sec. 100d. (1) "Service" means a mental health service or a
 15 substance use disorder service.

16 (2) "Serious emotional disturbance" means a diagnosable
 17 mental, behavioral, or emotional disorder affecting a minor that
 18 exists or has existed during the past year for a period of time
 19 sufficient to meet diagnostic criteria specified in the most recent
 20 Diagnostic and Statistical Manual of Mental Disorders published by
 21 the American Psychiatric Association and approved by the department
 22 and that has resulted in functional impairment that substantially
 23 interferes with or limits the minor's role or functioning in
 24 family, school, or community activities. The following disorders
 25 are included only if they occur in conjunction with another
 26 diagnosable serious emotional disturbance:

27 (a) A substance use disorder.

28 (b) A developmental disorder.

29 (c) "V" codes in the Diagnostic and Statistical Manual of

1 Mental Disorders.

2 (3) "Serious mental illness" means a diagnosable mental,
3 behavioral, or emotional disorder affecting an adult that exists or
4 has existed within the past year for a period of time sufficient to
5 meet diagnostic criteria specified in the most recent Diagnostic
6 and Statistical Manual of Mental Disorders published by the
7 American Psychiatric Association and approved by the department and
8 that has resulted in functional impairment that substantially
9 interferes with or limits 1 or more major life activities. Serious
10 mental illness includes dementia with delusions, dementia with
11 depressed mood, and dementia with behavioral disturbance but does
12 not include any other dementia unless the dementia occurs in
13 conjunction with another diagnosable serious mental illness. The
14 following disorders also are included only if they occur in
15 conjunction with another diagnosable serious mental illness:

16 (a) A substance use disorder.

17 (b) A developmental disorder.

18 (c) A "V" code in the Diagnostic and Statistical Manual of
19 Mental Disorders.

20 (4) "Special compensation" means payment to an adult foster
21 care facility to ensure the provision of a specialized program in
22 addition to the basic payment for adult foster care. Special
23 compensation does not include payment received directly from the
24 Medicaid program for personal care services for a resident, or
25 payment received under the supplemental security income program.

26 (5) "Specialized program" means a program of services,
27 supports, or treatment that are provided in an adult foster care
28 facility to meet the unique programmatic needs of individuals with
29 serious mental illness or developmental disability as set forth in

1 the resident's individual plan of services and for which the adult
2 foster care facility receives special compensation.

3 (6) "Specialized residential service" means a combination of
4 residential care and mental health services that are expressly
5 designed to provide rehabilitation and therapy to a recipient, that
6 are provided in the recipient's residence, and that are part of a
7 comprehensive individual plan of services.

8 (7) "State administered funds" means revenues appropriated by
9 the legislature exclusively for the purposes provided for in regard
10 to substance use disorder services and prevention.

11 (8) "State facility" means a center or a hospital operated by
12 the department.

13 (9) "State recipient rights advisory committee" means a
14 committee appointed by the director under section 756 to advise the
15 director and the director of the department's office of recipient
16 rights.

17 (10) "Substance abuse" means the taking of alcohol or other
18 drugs at dosages that place an individual's social, economic,
19 psychological, and physical welfare in potential hazard or to the
20 extent that an individual loses the power of self-control as a
21 result of the use of alcohol or drugs, or while habitually under
22 the influence of alcohol or drugs, endangers public health, morals,
23 safety, or welfare, or a combination ~~thereof~~ of those.

24 (11) **"Substance abuse and mental health services**
25 **administration" or "SAMHSA" means the agency within the United**
26 **States Department of Health and Human Services that leads public**
27 **health efforts to advance the behavioral health of the nation.**

28 (12) ~~(11)~~ "Substance use disorder" means chronic disorder in
29 which repeated use of alcohol, drugs, or both, results in

1 significant and adverse consequences. Substance use disorder
2 includes substance abuse.

3 **(13)** ~~(12)~~—"Substance use disorder prevention services" means
4 services that are intended to reduce the consequences of substance
5 use disorders in communities by preventing or delaying the onset of
6 substance abuse and that are intended to reduce the progression of
7 substance use disorders in individuals. Substance use disorder
8 prevention is an ordered set of steps that promotes individual,
9 family, and community health, prevents mental and behavioral
10 disorders, supports resilience and recovery, and reinforces
11 treatment principles to prevent relapse.

12 **(14)** ~~(13)~~—"Substance use disorder treatment and rehabilitation
13 services" means providing identifiable recovery-oriented services
14 including the following:

15 (a) Early intervention and crisis intervention counseling
16 services for individuals who are current or former individuals with
17 substance use disorder.

18 (b) Referral services for individuals with substance use
19 disorder, their families, and the general public.

20 (c) Planned treatment services, including chemotherapy,
21 counseling, or rehabilitation for individuals physiologically or
22 psychologically dependent upon or abusing alcohol or drugs.

23 **(15)** ~~(14)~~—"Supplemental security income" means the program
24 authorized under title XVI of the social security act, 42 USC 1381
25 to 1383f.

26 **(16)** ~~(15)~~—"Telemedicine" means the use of an electronic media
27 to link patients with health care professionals in different
28 locations. To be considered telemedicine under this section, the
29 health care professional must be able to examine the patient via a

1 health insurance portability and accountability act of 1996, Public
2 Law 104-191 compliant, secure interactive audio or video, or both,
3 telecommunications system, or through the use of store and forward
4 online messaging.

5 (17) ~~(16)~~—"Transfer facility" means a facility selected by the
6 department-designated community mental health entity, which
7 facility is physically located in a jail or lockup and is staffed
8 by at least 1 designated representative when in use according to
9 chapter 2A.

10 (18) ~~(17)~~—"Transition services" means a coordinated set of
11 activities for a special education student designed within an
12 outcome-oriented process that promotes movement from school to
13 postschool activities, including postsecondary education,
14 vocational training, integrated employment including supported
15 employment, continuing and adult education, adult services,
16 independent living, or community participation.

17 (19) ~~(18)~~—"Treatment" means care, diagnostic, and therapeutic
18 services, including administration of drugs, and any other service
19 for treatment of an individual's serious mental illness, serious
20 emotional disturbance, or substance use disorder.

21 (20) ~~(19)~~—"Urgent situation" means a situation in which an
22 individual is determined to be at risk of experiencing an emergency
23 situation in the near future if he or she does not receive care,
24 treatment, or support services.

25 (21) "Wraparound services" means an individually designed set
26 of services provided to minors with serious emotional disturbance
27 or serious mental illness and their families that includes
28 treatment services and personal support services or any other
29 supports necessary to foster education preparedness, employability,

1 and preservation of the child in the family home. Wraparound
2 services are to be developed through an interagency collaborative
3 approach and a minor's parent or guardian and a minor age 14 or
4 older are to participate in planning the services.

5 **Sec. 166. The Michigan crisis and access line is designated as**
6 **the state's crisis hotline center to provide crisis intervention**
7 **services and crisis care coordination to individuals accessing the**
8 **9-8-8 suicide prevention and behavioral health crisis hotline from**
9 **any jurisdiction 24 hours a day, 7 days a week.**

10 **Sec. 166a. (1) The Michigan crisis and access line must have**
11 **an active agreement with the administrator of the National Suicide**
12 **Prevention Lifeline to participate within the network.**

13 **(2) The Michigan crisis and access line must meet the National**
14 **Suicide Prevention Lifeline requirements and best practices**
15 **guidelines for operational and clinical standards.**

16 **(3) The Michigan crisis and access line must provide data to,**
17 **report to, and participate in evaluations and related quality**
18 **improvement activities as required by the 9-8-8 administrator. As**
19 **used in this subsection, "9-8-8 administrator" means the**
20 **administrator of the 9-8-8 suicide prevention and mental health**
21 **crisis hotline.**

22 **(4) To ensure cohesive, coordinated crisis care, the Michigan**
23 **crisis and access line must utilize technology including chat and**
24 **text that is interoperable between and across crisis and emergency**
25 **response systems used throughout this state, including, but not**
26 **limited to, 9-1-1, emergency medical services, other nonbehavioral**
27 **health crisis services, and others as necessary, and with the**
28 **administrator of the National Suicide Prevention Lifeline.**

29 **(5) The department shall promulgate rules to allow appropriate**

1 information crisis and emergency response systems for the purpose
2 of real-time crisis care coordination, including, but not limited
3 to, deployment of crisis and outgoing services and linked, flexible
4 services specific to crisis response.

5 (6) The Michigan crisis and access line may deploy crisis and
6 outgoing services, including mobile crisis teams, and coordinate
7 access to crisis stabilization units or other local resources as
8 appropriate and according to guidelines and best practices
9 established by the National Suicide Prevention Lifeline.

10 (7) The Michigan crisis and access line must actively
11 collaborate with mental health and substance use disorder treatment
12 providers, including hospital emergency departments and inpatient
13 psychiatric settings, prepaid inpatient health plans, community
14 mental health services programs, certified community behavioral
15 health clinics, crisis stabilization units, and mobile crisis teams
16 throughout this state, to coordinate linkages for individuals
17 contacting the 9-8-8 suicide prevention and behavioral health
18 crisis hotline with ongoing care needs, establishing formal
19 agreements when appropriate. The Michigan crisis and access line
20 shall coordinate access to crisis stabilization units for
21 individuals accessing the 9-8-8 suicide prevention and behavioral
22 health crisis hotline through appropriate information sharing
23 regarding availability of services.

24 (8) The department, having primary oversight over suicide
25 prevention and crisis service activities, including the suicide
26 prevention and behavioral health crisis hotline, must work in
27 concert with the National Suicide Prevention Lifeline and the
28 Veterans Crisis Line networks for the purposes of ensuring
29 consistency of public messaging about 9-8-8 services.

1 (9) The Michigan crisis and access line must meet the
2 requirements set forth by the National Suicide Prevention Lifeline
3 for serving high-risk and specialized populations as identified by
4 the substance abuse and mental health services administration,
5 including training requirements and policies for transferring the
6 callers to an appropriate specialized center or subnetworks within
7 or external to the National Suicide Prevention Lifeline network.
8 This shall include, but is not limited to, minorities, rural
9 individuals, and other high-risk populations as well as those with
10 co-occurring substance use, and providing linguistically and
11 culturally competent care.

12 (10) The Michigan crisis and access line must provide follow-
13 up services to individuals accessing the 9-8-8 suicide prevention
14 and behavioral health crisis hotline consistent with guidance and
15 policies established by the National Suicide Prevention Lifeline.

16 (11) The department must provide an annual report of the 9-8-8
17 suicide prevention and behavioral health crisis hotline's usage and
18 services to the legislature and the substance abuse and mental
19 health services administration.

20 Sec. 166b. The department shall provide and fund, directly or
21 through contract, on-site response services to crisis calls
22 utilizing state-funded, locally funded, or both, mobile crisis
23 teams as specified in department policy and rules. Mobile crisis
24 teams must meet the following minimum requirements:

25 (a) The composition of the mobile crisis teams must be as
26 follows:

27 (i) Designed in partnership with community members, including
28 people with lived experience utilizing crisis services.

29 (ii) Be comprised of either community-based behavioral health

1 teams including licensed behavioral health professionals and
2 including peers, or behavioral health teams embedded in emergency
3 medical services and including peers.

4 (iii) Be staffed by personnel who reflect the demographics of
5 the community served.

6 (iv) Include police as co-responders in behavioral health teams
7 with licensed behavioral health professionals and peers, only as
8 needed to respond in high-risk situations that cannot be managed
9 without law enforcement.

10 (b) Collaborate with local law enforcement agencies,
11 hospitals, emergency departments, and providers of behavioral
12 health services.

13 (c) Collect customer service data from individuals served by
14 demographic requirements, including race and ethnicity, set forth
15 by the substance abuse and mental health services administration
16 and consistent with the state block grant requirements for
17 continuous evaluation and quality improvement.

18 Sec. 166c. (1) The department shall fund treatment for crisis
19 stabilization and crisis stabilization units using money from the
20 fund created in the 9-8-8 suicide prevention and mental health
21 crisis hotline fund act according to the following:

22 (a) For Medicaid recipients, the fund shall be used to cover
23 the state share of Medicaid-funded mobile crisis team services and
24 crisis stabilization unit services. The department must seek and
25 maximize available federal financial participation for Medicaid
26 services.

27 (b) For an uninsured individual, or if the crisis
28 stabilization service is not a covered service by the individual's
29 health coverage or a third-party payer, the fund shall be used to

1 offset the cost of mobile crisis team services and crisis
2 stabilization unit services only after the department exhausts all
3 other allowable non-Medicaid federal funding for mobile crisis team
4 services and crisis stabilization unit costs and services,
5 including, but not limited to, the crisis set-aside expenditure
6 requirements of the substance abuse and mental health services
7 administration mental health and substance abuse block grant.

8 (2) The state must determine how payment will be made to the
9 provider of service.

10 Enacting section 1. This amendatory act does not take effect
11 unless Senate Bill No. _____ or House Bill No. 5354 (request no.
12 04111'21) of the 101st Legislature is enacted into law.