

SENATE BILL NO. 222

April 17, 2025, Introduced by Senators WOJNO, HERTEL, SANTANA and IRWIN and referred to Committee on Health Policy.

A bill to amend 1974 PA 258, entitled
"Mental health code,"
by amending section 473 (MCL 330.1473), as amended by 2018 PA 593.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 473. (1) ~~Not~~ **Except as otherwise provided in this**
2 **section, not** less than 14 days before the expiration of an initial,
3 second, or continuing order ~~of~~ **for** involuntary mental health
4 treatment issued under section 472a or section 485a, a hospital
5 director, ~~or an agency, or mental health professional~~ **physician,**
6 **psychologist, or qualified health professional** supervising an

1 individual's assisted outpatient treatment shall file a petition
2 for a second or continuing order of involuntary mental health
3 treatment if the hospital director or supervisor believes the
4 individual continues to be a person requiring treatment and that
5 the individual is likely to refuse treatment on a voluntary basis
6 when the order expires. The petition ~~shall~~**must** contain a statement
7 setting forth the reasons for the ~~hospital director's or~~
8 ~~supervisor's or their joint~~ determination that the individual
9 continues to be a person requiring treatment, a statement
10 describing the treatment program provided to the individual, the
11 results of that ~~course of treatment~~ **program**, and a clinical
12 estimate ~~as to~~**of** the time further treatment will be required. The
13 petition ~~shall~~**must** be accompanied by ~~a~~**both of the following**:

14 (a) **A clinical certificate executed by a**
15 ~~psychiatrist.~~**physician, psychologist, or qualified health**
16 **professional.**

17 (b) **Except as otherwise provided in this subdivision, evidence**
18 **that the physician, psychologist, or qualified health professional**
19 **who executed the clinical certificate under subdivision (a)**
20 **examined the individual subject to the petition and discussed the**
21 **examination findings and the treatment program for the individual**
22 **with a psychiatrist during or immediately after the examination.**
23 **This subdivision does not apply to a physician who is a**
24 **psychiatrist.**

25 (2) **Not less than 14 days before the expiration of an initial,**
26 **second, or continuing order for assisted outpatient treatment**
27 **issued under section 472a, a hospital director, agency, physician,**
28 **psychologist, or qualified health professional supervising an**
29 **individual's assisted outpatient treatment, or an individual 18**

1 years of age or older, may file a petition for a second or
2 continuing order of involuntary mental health treatment if the
3 individual continues to be a person requiring treatment and that
4 the individual is likely to refuse treatment on a voluntary basis
5 when the order expires. The petition must contain a statement
6 setting forth the reason for the determination that the individual
7 continues to be a person requiring treatment, a statement
8 describing the treatment program provided to the individual, the
9 results of that treatment program, and a clinical estimate of the
10 time further treatment will be required. The petition must be
11 accompanied by both of the following:

12 (a) A clinical certificate executed by a physician,
13 psychologist, or qualified health professional.

14 (b) Except as otherwise provided in this subdivision, evidence
15 that the physician, psychologist, or qualified health professional
16 who executed the clinical certificate under subdivision (a)
17 examined the individual subject to the petition and discussed the
18 examination findings and the treatment program for the individual
19 with a psychiatrist during or immediately after the examination.
20 This subdivision does not apply to a physician who is a
21 psychiatrist.

22 (3) As used in this section:

23 (a) "Psychiatric nurse practitioner" means an individual who
24 is licensed as a registered professional nurse under part 172 of
25 the public health code, 1978 PA 368, MCL 333.17201 to 333.17242,
26 who has been granted a specialty certification as a nurse
27 practitioner by the Michigan board of nursing under section 17210
28 of the public health code, 1978 PA 368, MCL 333.17210, and who has
29 training in the area of mental health.

1 (b) "Qualified health professional" means a psychiatric nurse
2 practitioner who is acting under the delegation of a psychiatrist
3 under section 16215 of the public health code, 1978 PA 368, MCL
4 333.16215, or a physician's assistant who is acting pursuant to a
5 practice agreement with a psychiatrist under article 15 of the
6 public health code, 1978 PA 368, MCL 333.16101 to 333.18838.