

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1730 Money.

Sec. 730.

(1) The department shall establish policies and procedures designed to ensure that money in the accounts of residents of a state facility are safeguarded against theft, loss, or misappropriation.

(2) A state facility may require that all money that is on the person of a resident, that comes to a resident, or that the facility receives on behalf of the resident under a benefit arrangement or otherwise, be turned over to the facility for safekeeping. The money shall be accounted for in the name of the resident and recorded periodically in the records of the resident. Upon request, money accounted for in the name of a resident shall be turned over to a legal guardian of the resident if the guardian has such authority.

(3) A resident of a state facility is entitled to easy access to the money in his or her account and to spend or otherwise use the money as he or she chooses, except as provided in policies and procedures of the department established under subsection (1). Policies and procedures shall be established in writing for each state facility giving residents easy access to the money in their accounts and enabling residents to spend or otherwise use their money as they choose.

(4) Money accounted for in the name of a resident of a state facility may be deposited with a financial institution. Any earnings attributable to money in an account of a resident shall be credited to that account.

(5) All money, including any earnings, in an account of a resident of a state facility shall be delivered to the resident upon his or her release from the facility.

History: 1974, Act 258, Eff. Aug. 6, 1975 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996