

MENTAL HEALTH CODE (EXCERPT)

Act 258 of 1974

FORMAL VOLUNTARY ADMISSION (INCLUDES ADMISSION OF MINORS THROUGH APPLICATION OF PARENT OR GUARDIAN)

330.1415 Formal voluntary hospitalization; written consent to mental health treatment.

Sec. 415.

Subject to section 410, an individual 18 years of age or over may be hospitalized or otherwise treated as a formal voluntary patient if either of the following applies:

(a) The individual executes a written consent with the mental health facility for mental health treatment as a formal voluntary patient.

(b) The full or limited guardian with authority to execute a written consent to mental health treatment, or a patient advocate authorized by the individual to make mental health treatment decisions under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, executes a written consent to provide mental health treatment.

History: 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1984, Act 186, Imd. Eff. July 3, 1984 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2004, Act 557, Imd. Eff. Jan. 3, 2005 ;-- Am. 2018, Act 595, Eff. Mar. 28, 2019

330.1416 Mental health treatment; communication of patient rights; copies of written consent.

Sec. 416.

Upon commencement of mental health treatment, the rights that the patient has during the mental health treatment, including the right to object to the mental health treatment, must be orally communicated to the patient and to the individual who executed the written consent. In addition, a copy of the written consent must be given to the patient and the individual who executed the written consent and to 1 other individual designated by the patient.

History: 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2018, Act 595, Eff. Mar. 28, 2019

330.1417, 330.1418 Repealed. 1984, Act 186, Imd. Eff. July 3, 1984.

Compiler's Notes: The repealed sections pertained to objections to formal voluntary hospitalization of minor.

330.1419 Termination of formal voluntary hospitalization or mental health treatment; written notice; time limitation; written form.

Sec. 419.

(1) Except as is provided in section 420, a formal voluntary patient 18 years of age or over shall not be hospitalized or provided mental health treatment for more than 3 days, excluding Sundays and holidays, after the patient, the full or limited guardian with authority to consent to mental health treatment, or a patient advocate authorized by the individual to make mental health treatment decisions under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206, gives written notice of an intention to terminate the patient's mental health treatment.

(2) When the hospital or provider of mental health treatment is told of an intention to terminate mental health treatment under subsection (1), it shall promptly supply the written form that is required.

History: 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1984, Act 186, Imd. Eff. July 3, 1984 ;-- Am. 2018, Act 595, Eff. Mar. 28, 2019

330.1420 Continuing hospitalization or mental health treatment where notice of termination not withdrawn; filing petition with court; clinical certificates; hearings.

Sec. 420.

If a written notice of termination of mental health treatment is given to a hospital or provider of mental health treatment under section 419, if the notice is not withdrawn, and if the hospital director or provider of mental health treatment determines that the patient is a person requiring treatment and should remain in the hospital or continue to receive mental health treatment, the hospital director, provider of mental health treatment, or other suitable person shall within 3 days after receipt of the notice file a petition with the court that complies with section 434. The petition shall be accompanied by 1 clinical certificate executed by a psychiatrist and 1 clinical certificate executed by either a physician or a licensed psychologist. If a petition is filed, the hospital or provider of mental health may continue hospitalization or mental health treatment of the patient pending hearings convened under sections 451 to 465.

History: 1974, Act 258, Eff. Nov. 6, 1974 ;-- Am. 1982, Act 402, Imd. Eff. Dec. 28, 1982 ;-- Am. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2016, Act 320, Eff. Feb. 14, 2017 ;-- Am. 2018, Act 595, Eff. Mar. 28, 2019

330.1422 Receipt and detention of individuals under MCL 330.1426, 330.1427 or 330.1435, 330.1436, or 330.1438; designation of hospitals.

Sec. 422.

(1) Each community mental health services program shall designate the hospitals with which it has a contract to receive and detain individuals under section 426, 427, 435, 436, or 438.

(2) Each community mental health services program shall give notice of the hospitals designated under subsection (1) to the department and to the probate court of each county in the program's service area.

(3) The department shall designate any additional hospitals that are required to receive and detain individuals presented for examination under section 426, 427, 435, 436, or 438.

History: Add. 1995, Act 290, Eff. Mar. 28, 1996 ;-- Am. 2004, Act 317, Imd. Eff. Aug. 27, 2004 ;-- Am. 2016, Act 320, Eff. Feb. 14, 2017