

# SENATE BILL NO. 637

September 14, 2021, Introduced by Senators CHANG, OUTMAN, WOJNO, IRWIN, BRINKS, HOLLIER, POLEHANKI, BULLOCK, VICTORY, DALEY, LASATA, HORN, VANDERWALL, RUNESTAD, MACDONALD, GEISS, NESBITT and SCHMIDT and referred to the Committee on Health Policy and Human Services.

A bill to amend 1974 PA 258, entitled  
"Mental health code,"  
(MCL 330.1001 to 330.2106) by adding sections 207e and 207f.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           **Sec. 207e. As used in this section and section 207f:**  
2           **(a) "Behavioral health practitioner" means either a mental**  
3 **health professional or a professional trained in substance use**  
4 **disorder treatment and rehabilitation services.**  
5           **(b) "Community agency" means a public or private agency or**

1 organization that provides services toward preventing, improving,  
2 or resolving health, mental health, social, or environmental  
3 problems that affect individuals, families, specific groups, or  
4 communities, including a community mental health agency.

5 (c) "Community crisis responder clinician" means a behavioral  
6 health practitioner specifically trained in community crisis  
7 response.

8 (d) "Community crisis responder peer" means an individual with  
9 experience related to mental illness or substance use disorder who  
10 is specifically trained in community crisis response.

11 (e) "Community crisis response" means a program in which  
12 appropriate calls to existing 9-1-1 dispatch centers and other  
13 existing crisis lines, including the Michigan crisis and access  
14 line and 988 systems as those systems are implemented in this  
15 state, are responded to by 1 or more community crisis responder  
16 clinicians or community crisis responder peers, alone or, when  
17 public safety needs require, with law enforcement for the purposes  
18 of stabilization, de-escalation, harm reduction, screening and  
19 assessment, and connection to mental health, substance use  
20 disorder, social, health, or other services and supports as needed.

21 (f) "Council" means the mental health diversion council  
22 established under the department or another council or body as  
23 determined appropriate by the department.

24 (g) "Local unit of government" means a city, village,  
25 township, or county or a delegate of a city, village, township, or  
26 county, for the purpose of grant application and implementation.

27 (h) "Telehealth" means that term as defined in section 16283  
28 of the public health code, 1978 PA 368, MCL 333.16283.

29 Sec. 207f. (1) Subject to appropriation to the jail diversion

1 fund created under section 207c, the department shall create a  
2 community crisis response grant program, in accordance with the  
3 recommendations of the council, using half of appropriated funds,  
4 to provide competitive grants to assist local units of government  
5 that apply according to the criteria outlined in this section.

6 (2) The department shall distribute grants to local units of  
7 government in accordance with recommendations of the council for  
8 the purpose of establishing or expanding community-based mobile  
9 crisis intervention services. The department must give priority to  
10 grant applications that demonstrate a commitment to best practices  
11 as identified by the department in coordination with the council.

12 (3) A grant application may be made by any applicable local  
13 unit of government and must be distributed to a local unit of  
14 government using a prospective payment methodology.

15 (4) Each local unit of government receiving a grant under this  
16 section must provide to the council a copy of a memorandum of  
17 understanding between the involved community agencies and law  
18 enforcement agencies that delineates how behavioral health  
19 professionals and law enforcement officers shall be coordinated.

20 (5) The department must create an application process with  
21 selection criteria for grants under subsection (2) and a grant  
22 dispersal process under subsection (3), and must post the  
23 application process, selection criteria, and grant dispersal  
24 process on the department's website.

25 (6) The department must seek federal authority as outlined  
26 under section 9813 of the American rescue plan act of 2021, Public  
27 Law 117-2, to utilize enhanced federal Medicaid matching funds for  
28 operating the programs described in this section as long as that  
29 funding is available.

1           (7) Each year, a local unit of government that receives a  
2 grant under this section shall cooperate with an organization,  
3 selected by the department, to describe and evaluate the activities  
4 and results of the local unit of government related to the grant.  
5 The department may use a portion of grant funding appropriated to  
6 the jail diversion fund to contract with an independent  
7 organization to fulfill this requirement.

8           (8) The department or evaluating organization must determine  
9 the specific metrics required in the report and notify the local  
10 units of government at the time of the first grant disbursement.  
11 Metrics may include, but are not limited to, the following:

12           (a) Total number of behavioral health crisis calls in the  
13 target jurisdiction.

14           (b) Number of calls to which a community crisis responder  
15 clinician or community crisis responder peer is dispatched  
16 according to the requirements of the local unit of government's  
17 grant application.

18           (c) Number of calls transferred to telehealth with physical  
19 response follow-up and the number of calls transferred to  
20 telehealth without physical response follow-up.

21           (d) Community crisis responder clinician and community crisis  
22 responder peer call time per call.

23           (e) A survey of clients served by community crisis response.

24           (f) Number of calls with community crisis response that result  
25 in the following:

26           (i) Jail admission.

27           (ii) On-location de-escalation.

28           (iii) Access to crisis stabilization services and other  
29 community-based supports and service.

1 (iv) Inpatient admission to a behavioral health facility.

2 (v) Referral for behavioral or mental health services without  
3 residential or inpatient admission.

4 (vi) Referral to community or social services, including, but  
5 not limited to, homeless shelters, women's shelters, food pantries,  
6 or other similar services.

7 (g) Number of individuals served by community crisis response  
8 broken down by age, gender, race, and ethnicity.

9 (h) Reduction in frequency of law enforcement interaction with  
10 known frequently served individuals.

11 (i) Number of follow-up visits, including method and location.

12 (j) Overall program costs broken down by administration,  
13 training, community crisis responder clinician and community crisis  
14 responder peer, and per call costs.

15 (9) Not later than September 30, 2023, and annually after  
16 that, the council must compile and submit an annual report to the  
17 senate and house appropriations subcommittees on the department  
18 budget, the senate and house fiscal agencies, the senate and house  
19 policy offices, and the state budget office, and publish a copy of  
20 the report on its internet website. The report must contain all of  
21 the following for the immediately preceding fiscal year:

22 (a) The name of each local unit of government that received a  
23 grant and the total amount of the grant.

24 (b) Details about any subgrants disbursed by each local unit  
25 of government that received a grant under this section.

26 (c) An analysis of the activities undertaken by grant  
27 recipients as part of their project, including alignment with best  
28 practices.

29 (d) An appropriate summary of metrics reported by grant

1 recipients as required under subsection (8).

2 (e) Recommendations for improvements to grant criteria  
3 described in subsection (2).

4 (10) The responsibilities of the department under this section  
5 include all of the following:

6 (a) Create the community crisis response grant program, review  
7 grant applications, and distribute grants.

8 (b) Coordinate with the council to determine appropriate  
9 staffing and resource allocation for grant review, administration,  
10 and other duties.

11 (c) Develop a model memorandum of understanding between  
12 community agencies and law enforcement.

13 (d) Manage external evaluation and ensure that metrics are  
14 collected by grant recipients in order to determine future best  
15 practices and criteria for future grants.

16 (e) Provide technical assistance and coordination and  
17 facilitate sharing of best practices among grant recipients.

18 (f) Assist with cross-training resources between law  
19 enforcement and community crisis responder clinicians and community  
20 crisis responder peers.

21 Enacting section 1. This amendatory act does not take effect  
22 unless Senate Bill No. 638 of the 101st Legislature is enacted into  
23 law.