

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

330.1531 Review of status; frequency; disposition and notice of results; objection; hearing; petition for discharge.

Sec. 531. (1) Every resident admitted by court order has the right to regular, adequate, and prompt review of his or her current status as an individual meeting the criteria for judicial admission. Six months after the date of an order of judicial admission, and every 6 months after that, the director of a center to which a resident was admitted shall review the resident's status as an individual meeting the criteria for judicial admission.

(2) The results of each periodic review shall be made part of the resident's record, and shall be filed within 5 days of the review in the form of a written report with the court that ordered the resident's admission, and within the 5 days, notice of the results of the review shall be given by the facility to the resident, his or her attorney, and his or her nearest relative or guardian.

(3) If the report concludes that the resident continues to meet the criteria for judicial admission, and the resident or someone on his or her behalf objects to that conclusion, the resident has the right to a hearing and all other rights expressed or implied in sections 517 to 522 and may petition the court for discharge. The petition shall be presented to the court or a representative of the center within 7 days, excluding Sundays and holidays, after the report is received. If the petition is presented to a representative of the center, the representative shall transmit it to the court immediately.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1995, Act 290, Eff. Mar. 28, 1996.