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Senate Bill 917 (as introduced 6-12-24)

Sponsor: Senator Jeff Irwin

Committee: Health Policy

Date Completed: 10-9-24

## **CONTENT**

**The bill would amend the Mental Health Code to allow an individual who filed a petition asserting that another individual required mental health treatment to request and access mediation to resolve a dispute between the individual and the appropriate community mental health services program related to planning and providing services or support to the individual requiring treatment. In addition, if an individual were required by a court order to receive mental health services due to a petition, the bill would require a hospital to detain that individual for up to 24 hours.**

Generally, Section 206a of the Code requires that the recipient of mental health services from a community mental health services program or other service provider under contract with the program or the recipient's representative be allowed to request and access mediation to resolve a dispute between the recipient and the program or provider related to planning and providing services or supports to the recipient. Under the bill, an individual filing a petition under Section 434 of the Code also could request and access mediation for this purpose. The bill would apply current rights and requirements of a recipient in the mediation process to an individual filing a petition under Section 434.

(Section 434 of the Code allows an adult individual to file with a court a petition that asserts that another individual is a person requiring treatment. From there, a court may issue an order based off the petition which requires the individual to receive mental health treatment.)

Finally, Section 429 of the Code requires a hospital to receive and detain certain individuals presented for examination for up to 24 hours. The bill also would require a hospital to receive and detain an individual presented for examination by an order of the court under Section 434 for up to 24 hours.

MCL 330.1206a & 330.1429

Legislative Analyst: Alex Krabill

## **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the Department of Health and Human Services (DHHS) and local units of government. The bill would expand the definition of individuals who could request mediation to include an individual described under Section 434 of the Mental Health Code (MCL 330.1434). While current statute requires DHHS to contract directly with mediation organizations, it does not require a specific level of funding by the State and does not require Community Mental Health Service Providers (CMHSPs) to use the State-contracted mediation organizations.

If the bill resulted in an increase in the number of individuals seeking mediation, CMHSPs could experience an increase in administrative costs if the CMHSP does not use the State-contracted mediation organizations. If the bill resulted in an increase in the number of individuals seeking

mediation and the CMHSP uses the State-contracted mediation organizations, the State could see an increase in costs if the increase in mediations could not be absorbed within current State contracts and if the definition change were accompanied by an increase in the appropriation level by the Legislature.

The bill would have no fiscal impact on local courts.

Fiscal Analyst: Ellyn Ackerman  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.