

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

***** 330.1439.amended *THIS AMENDED SECTION IS EFFECTIVE MARCH 24, 2021* *****

330.1439.amended Cause of action against person filing petition.

Sec. 439. (1) A cause of action is not cognizable against a person who in good faith files a petition under this chapter alleging that an individual is a person requiring treatment, unless the petition is filed as the result of an act or omission amounting to gross negligence or willful and wanton misconduct.

(2) A cause of action is not cognizable against a preadmission screening unit or its employees or contractors or a crisis stabilization unit or its employees or contractors, who in good faith makes a determination as to whether an individual is a person requiring treatment or not, unless the determination is the result of an act or omission amounting to gross negligence or willful and wanton misconduct.

History: Add. 1986, Act 118, Eff. Mar. 31, 1987;—Am. 2020, Act 402, Eff. Mar. 24, 2021.