

MENTAL HEALTH CODE (EXCERPT)
Act 258 of 1974

***** 330.1537.amended *THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2022 REGULAR SESSION SINE DIE* *****

330.1537.amended Return of individual to facility; conditions; protective custody; notice; appeal.

Sec. 537. (1) An individual is subject to being returned to a facility if both of the following are true:

(a) The individual was admitted to a facility on an application executed by someone other than himself or herself or by judicial order.

(b) The individual has left the facility without authorization, or has refused a lawful request to return to the facility while on an authorized leave or other authorized absence from the facility.

(2) The facility may notify a peace officer that an individual is subject to being returned to the facility. Upon notification, a peace officer shall take the individual into protective custody. After the individual is taken into protective custody, a peace officer or a security transport officer shall return him or her to the facility unless contrary directions have been given by the facility or the responsible community mental health services program.

(3) An opportunity for appeal must be provided to any individual returned over his or her objection from any authorized leave in excess of 10 days, and the individual shall be notified of his or her right to appeal. In the case of a child less than 13 years of age, the appeal shall be made by his or her parent or guardian.

History: 1974, Act 258, Eff. Nov. 6, 1974;—Am. 1995, Act 290, Eff. Mar. 28, 1996;—Am. 2018, Act 596, Eff. Mar. 28, 2019;—Am. 2022, Act 146, Eff. (sine die).