

**MENTAL HEALTH CODE (EXCERPT)**  
**Act 258 of 1974**

**330.1788 Mediation.**

Sec. 788. (1) At any time after the office completes the investigative report, the parties may agree to mediate the dispute. A mediator shall be jointly selected to facilitate a mutually acceptable settlement between the parties. The mediator shall be an individual who has received training in mediation and who is not involved in any manner with the dispute or with the provision of services to the recipient.

(2) If the parties agree to mediation and reach agreement through the mediation process, the mediator shall prepare a report summarizing the agreement, which shall be signed by the parties. The signed agreement shall be binding on both parties. Notice that an agreement has been reached shall be sent to the office.

(3) If the parties fail to reach agreement through the mediation process, the mediator shall document that fact in writing and provide a copy of the documentation to both parties and the office within 10 days after the end of the mediation process.

(4) If the parties engage in mediation, all appeal and response times required under this chapter are suspended during the period of time the mediation process is taking place. The suspension of time periods begins on the day the parties agree to mediate and expires 5 days after the day the mediator provides the written documentation to the parties and the office that mediation was not successful.

**History:** Add. 1995, Act 290, Eff. Mar. 28, 1996.