

SUBSTITUTE FOR
SENATE BILL NO. 558

A bill to amend 1974 PA 258, entitled
"Mental health code,"
(MCL 330.1001 to 330.2106) by adding section 207a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 207A. (1) EACH COUNTY SHALL HAVE A WRITTEN INTERAGENCY
2 AGREEMENT IN PLACE FOR A COLLABORATIVE PROGRAM TO PROVIDE MENTAL
3 HEALTH TREATMENT AND ASSISTANCE, IF PERMITTED BY LAW AND CONSIDERED
4 APPROPRIATE, TO PERSONS WITH SERIOUS MENTAL ILLNESS WHO ARE
5 CONSIDERED AT RISK FOR 1 OR MORE OF THE FOLLOWING:

6 (A) ENTERING THE CRIMINAL JUSTICE SYSTEM.

7 (B) NOT RECEIVING NEEDED MENTAL HEALTH TREATMENT SERVICES
8 DURING A PERIOD OF INCARCERATION IN A COUNTY JAIL.

9 (C) NOT RECEIVING NEEDED MENTAL HEALTH TREATMENT SERVICES UPON

1 RELEASE OR DISCHARGE FROM INCARCERATION IN A COUNTY JAIL.

2 (D) BEING COMMITTED TO THE JURISDICTION OF THE DEPARTMENT OF
3 CORRECTIONS.

4 (2) PARTIES TO THE INTERAGENCY AGREEMENT REFERENCED IN
5 SUBSECTION (1) SHALL INCLUDE, AT A MINIMUM, ALL OF THE FOLLOWING:

6 (A) THE COUNTY SHERIFF'S DEPARTMENT.

7 (B) THE COUNTY PROSECUTOR'S OFFICE.

8 (C) THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM THAT PROVIDES
9 SERVICES IN THAT COUNTY.

10 (D) THE COUNTY BOARD OF COMMISSIONERS.

11 (E) A DISTRICT COURT JUDGE WHO SERVES IN THAT COUNTY OR, IF
12 THERE IS MORE THAN 1 DISTRICT IN THE COUNTY, A DISTRICT COURT JUDGE
13 WHO SERVES IN THE COUNTY WHO IS DESIGNATED EITHER BY THE CHIEF
14 JUDGE OF A DISTRICT COURT WITHIN THAT COUNTY OR A CHIEF JUDGE WITH
15 AUTHORITY OVER A DISTRICT COURT IN THAT COUNTY.

16 (F) A CIRCUIT COURT JUDGE WHO SERVES IN THAT COUNTY WHO IS
17 DESIGNATED EITHER BY THE CHIEF JUDGE OF THE CIRCUIT COURT OR BY A
18 CHIEF JUDGE WITH AUTHORITY OVER THE CIRCUIT COURT IN THAT COUNTY.

19 (3) THE INTERAGENCY AGREEMENT REFERENCED IN SUBSECTION (1)
20 SHALL, AT A MINIMUM, COVER ALL OF THE FOLLOWING AREAS:

21 (A) GUIDELINES FOR PROGRAM ELIGIBILITY.

22 (B) INTERPARTY COMMUNICATION AND COORDINATION.

23 (C) DAY-TO-DAY PROGRAM ADMINISTRATION.

24 (D) INVOLVEMENT OF SERVICE CONSUMERS, FAMILY MEMBERS, AND
25 OTHER STAKEHOLDERS.

26 (E) HOW THE PROGRAM SHALL WORK WITH LOCAL COURTS.

27 (F) HOW THE PROGRAM SHALL ADDRESS POTENTIAL PARTICIPANTS

1 BEFORE AND AFTER CRIMINAL CHARGES HAVE BEEN FILED.

2 (G) RESOURCE SHARING BETWEEN THE PARTIES TO THE INTERAGENCY
3 AGREEMENT.

4 (H) SCREENING AND ASSESSMENT PROCEDURES.

5 (I) GUIDELINES FOR CASE MANAGEMENT.

6 (J) HOW THE PROGRAM DESCRIBED IN SUBSECTION (1) WILL WORK WITH
7 COUNTY JAILS.

8 (K) CRITERIA FOR COMPLETING THE PROGRAM DESCRIBED IN
9 SUBSECTION (1).

10 (L) MENTAL HEALTH TREATMENT SERVICES THAT ARE AVAILABLE THROUGH
11 THE PROGRAM DESCRIBED IN SUBSECTION (1).

12 (M) PROCEDURES FOR FIRST RESPONSE TO POTENTIAL CASES,
13 INCLUDING RESPONSE TO CRISES.

14 (N) HOW THE ADMINISTRATORS OF THE PROGRAM DESCRIBED IN
15 SUBSECTION (1) WILL REPORT THE PROGRAM'S ACTIONS AND OUTCOMES TO
16 THE PUBLIC.

17 (4) A COUNTY THAT HAS A WRITTEN INTERAGENCY AGREEMENT
18 REFERENCED IN SUBSECTION (1) IN PLACE ON THE EFFECTIVE DATE OF THE
19 AMENDATORY ACT THAT ADDED THIS SECTION MAY MAINTAIN THAT
20 INTERAGENCY AGREEMENT, BUT MUST ENSURE THAT ITS INTERAGENCY
21 AGREEMENT CONTAINS ALL OF THE PROVISIONS DESCRIBED IN SUBSECTION
22 (3).

23 (5) THE DEPARTMENT, THE STATE COURT ADMINISTRATIVE OFFICE, AND
24 PARTIES TO THE INTERAGENCY AGREEMENT MAY ESTABLISH ADDITIONAL
25 POLICIES AND PROCEDURES TO BE INCLUDED IN THE COUNTY INTERAGENCY
26 AGREEMENT REQUIRED UNDER THIS SECTION.

27 (6) THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT THIS

1 SECTION ACCORDING TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969,
2 1969 PA 306, MCL 24.201 TO 24.328.

3 (7) A COUNTY IS NOT REQUIRED TO PROVIDE FUNDS FOR THE PROGRAM
4 DESCRIBED IN SUBSECTION (1). IN IMPLEMENTING THE PROVISIONS OF THIS
5 SECTION, A COUNTY IS REQUIRED TO EXPEND FUNDS FOR THE PROGRAM
6 DESCRIBED IN SUBSECTION (1) ONLY TO THE EXTENT APPROPRIATED
7 ANNUALLY BY THE LEGISLATURE FOR THE PROGRAM.