



HOUSE BILL No. 5464

February 29, 2000, Introduced by Reps. Garza, DeHart, Hardman, Hale, Stallworth, Bovin, Schauer, Jacobs and Lemmons and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled
"Mental health code,"
(MCL 330.1001 to 330.2106) by adding section 717a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 717A. A RECIPIENT SHALL NOT BE THE SUBJECT OF EXPERI-
2 MENTAL TREATMENT UNLESS CONSENT IS OBTAINED FROM 1 OF THE
3 FOLLOWING:

4 (A) THE RECIPIENT, IF THE RECIPIENT IS 18 YEARS OF AGE OR
5 OLDER AND DOES NOT HAVE A GUARDIAN FOR MEDICAL PURPOSES.

6 (B) THE RECIPIENT'S PARENT WHO HAS LEGAL AND PHYSICAL CUS-
7 TODAY OF THE RECIPIENT, IF THE RECIPIENT IS LESS THAN 18 YEARS OF
8 AGE.

9 (C) THE RECIPIENT'S GUARDIAN, IF THE GUARDIAN HAS POWER TO
10 EXECUTE A CONSENT FOR MEDICAL TREATMENT.

1 (D) THE RECIPIENT'S DESIGNATED REPRESENTATIVE, IF A DURABLE
2 POWER OF ATTORNEY OR OTHER ADVANCE DIRECTIVE GRANTS THE
3 REPRESENTATIVE AUTHORITY TO CONSENT TO MEDICAL TREATMENT.