

# SENATE BILL No. 1469

November 3, 2004, Introduced by Senators HAMMERSTROM, PATTERSON and JACOBS  
and referred to the Committee on Health Policy.

A bill to amend 1974 PA 258, entitled  
"Mental health code,"  
by amending section 407 (MCL 330.1407), as amended by 1995 PA  
290.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 407. A patient in a department hospital may be  
2 transferred to any other hospital, or to any facility of the  
3 department that is not a hospital, if the transfer would not be  
4 detrimental to the patient and if both the community mental  
5 health services program and the department approve the transfer.  
6 The patient, **a patient advocate designated to make mental health**  
7 **treatment decisions for the patient under the estates and**  
8 **protected individuals code, 1998 PA 386, MCL 700.1101 to**  
9 **700.8102, if any,** and the patient's guardian or nearest relative  
10 shall be notified at least 7 days prior to any transfer, except

1 that a transfer may be effected earlier if it is necessitated by  
2 an emergency. In addition, the patient may designate up to 2  
3 other persons to receive the notice. If a transfer is effected  
4 due to an emergency, the required notices shall be given as soon  
5 as possible, but not later than 24 hours after the transfer. If  
6 the patient, **the patient advocate**, or the patient's guardian or  
7 nearest relative objects to the transfer, the department shall  
8 provide an opportunity to appeal the transfer.

9 Enacting section 1. This amendatory act does not take  
10 effect unless all of the following bills of the 92nd Legislature  
11 are enacted into law:

12 (a) Senate Bill No. 1464.

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14 (b) Senate Bill No. 1468.

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16 (c) Senate Bill No. 1470.

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18 (d) Senate Bill No. 1471.

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20 (e) Senate Bill No. 1472.

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