

**SUBSTITUTE FOR
HOUSE BILL NO. 5615**

A bill to amend 1974 PA 258, entitled
"Mental health code,"
by amending sections 134, 147, and 720 (MCL 330.1134, 330.1147, and
330.1720), section 134 as amended by 2015 PA 59, section 147 as
amended by 2006 PA 27, and section 720 as added by 1995 PA 290.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 134. (1) The director ~~shall~~**must** establish a
2 comprehensive system of licensing for psychiatric hospitals and
3 psychiatric units in the state to protect the public by ensuring
4 that these **psychiatric** hospitals and **psychiatric** units provide the
5 facilities and the ancillary supporting services necessary to
6 maintain a high quality of patient care. Separate criteria ~~shall~~
7 **must** be developed for licensing hospital beds for minors.



1 (2) The director ~~shall~~**must** coordinate all functions within
2 state government affecting psychiatric hospitals **and psychiatric**
3 **units**, and ~~shall~~**must** cooperate with other state agencies, ~~that as~~
4 **necessary to** establish standards or requirements for facilities
5 providing mental health care to ~~assure~~**ensure** necessary, equitable,
6 and consistent state regulation of these facilities without
7 duplication of inspections or services. ~~The director may enter into~~
8 ~~agreements with other state agencies to accomplish this purpose.~~**The**
9 **department's office of recipient rights has oversight authority to**
10 **ensure operation of an effective recipient rights system at all**
11 **psychiatric hospitals and psychiatric units.**

12 Sec. 147. Except as otherwise provided in sections 134a, and
13 149b, **and 720(2)**, psychiatric hospitals or **psychiatric** units
14 operated by the state or federal government are exempt from
15 sections 134 through 150.

16 Sec. 720. (1) **The department shall collect all the information**
17 **it receives regarding recipients' deaths and include a summation**
18 **and analysis of that information in the annual report required to**
19 **be sent to the legislature under subsection (3). The department**
20 **shall, also, maintain a record of the information received**
21 **regarding recipients' deaths.**

22 (2) **The department must review and verify the information in**
23 **each death report it receives. The department must report as needed**
24 **to other investigative authorities, conduct its own investigation**
25 **of potential licensing or rights violations, and take any**
26 **corrective action warranted.**

27 (3) The department ~~shall~~**must** provide an annual statistical
28 report to the members of the house and senate standing committees
29 and appropriations subcommittees with legislative oversight of



1 mental health issues summarizing all deaths and causes of deaths,
2 if known of mental health care recipients that have been reported
3 to the department and all deaths that have occurred in state
4 facilities.

