

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

**330.1277 Protective custody; examination by health professional; chemical test; individual found to be incapacitated; treatment from approved program or service.**

Sec. 277.

(1) An individual who is taken to an approved service program or emergency medical service under section 276(1) shall continue to be in protective custody and shall be examined by a health professional as soon as possible, but not longer than 8 hours. The health professional may conduct a chemical test to determine the amount of alcohol or other drugs in the bloodstream of the individual. The health professional shall inform the individual of his or her right to that test and shall conduct a test at the request of the individual.

(2) An individual who, by medical examination, is found to be incapacitated shall then receive treatment from an approved service program or emergency medical service. An individual shall not be denied treatment solely because the individual has withdrawn from treatment against medical advice on a prior occasion or because the individual has relapsed after earlier treatment. An approved service program or the emergency medical service may arrange for necessary transportation.

(3) Approved service programs are not expected to provide treatment other than that for which they are licensed, nor is an emergency medical service required to provide treatment other than that routinely provided for other patients treated.

**History:** Add. 2012, Act 500, Imd. Eff. Dec. 28, 2012 ;-- Am. 2014, Act 200, Imd. Eff. June 24, 2014