

## MENTAL HEALTH PROFESSIONALS

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**Senate Bill 826 (S-1) as passed by the Senate**  
**Sponsor: Sen. Curtis S. VanderWall**  
**House Committee: Health Policy**  
**Senate Committee: Health Policy and Human Services**  
**Complete to 10-13-20**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Senate Bill 826 would amend the Mental Health Code to include additional professions in the definition of *mental health professional* and to allow those professionals to conduct certain examinations and tasks.

*Mental health professional* means an individual who is trained and experienced in the area of mental illness or developmental disabilities and who is one of the following: physician, psychologist, or a licensed or authorized registered professional nurse, licensed master's social worker, licensed professional counselor, or marriage and family therapist.

The bill would add the following to the list of qualifying professions:

- Physician assistant
- Certified nurse practitioner
- Clinical nurse specialist-certified

The bill would also add definitions for those three professions, as well as for registered professional nurse (as defined in the Public Health Code), to the Mental Health Code.

Additionally, the bill would incorporate those three professions into several procedures in the Mental Health Code, including the following:

- Examination prior to involuntary treatment (and production to the court of their certified findings, including treatment recommendations).
- Execution of a clinical certificate to accompany a petition to continue mental health treatment in response to a notice of termination of mental health treatment.
- Execution of a clinical certificate before hospitalization pending certification by a psychiatrist.
- Examination pursuant to a petition by a peace officer.
- Execution of a clinical certificate accompanying a petition to the court that assets that an individual is a person requiring treatment.
- Authorization of the seclusion or temporary restraint of a hospital or center resident if essential to prevent harm or damage.

Under the bill, a *clinical certificate* and *competent clinical opinion* could be issued by the three professions added by the bill, in addition to a physician, psychiatrist, or psychologist, as applicable.

The bill would take effect 90 days after its enactment.

MCL 330.1100a et seq.

**FISCAL IMPACT:**

Senate Bill 826 would have a minimal fiscal impact on the state and local units of government, specifically the 46 local Community Mental Health Services Programs (CMHSPs), as the expansion of which medical professions could perform the evaluations as part of court-ordered treatment decisions would not automatically result in an increase in the number of individuals receiving court-ordered treatment through the CMHSPs.

The bill would be unlikely to have an appreciable fiscal impact on the Department of Licensing and Regulatory Affairs. Any miscellaneous costs that may be incurred under the bill would likely be sufficiently offset by existing departmental appropriations.

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