

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

\*\*\*\*\* 330.1472a.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 14, 2017 \*\*\*\*\*

**330.1472a.amended Initial, second, or continuing order for involuntary mental health treatment; duration of order.**

Sec. 472a. (1) Upon the filing of a petition under section 434 and a finding that an individual is a person requiring treatment, the court shall issue an initial order of involuntary mental health treatment that shall be limited in duration as follows:

- (a) An initial order of hospitalization shall not exceed 60 days.
- (b) Except as provided in subdivision (d), an initial order of alternative treatment shall not exceed 90 days.
- (c) Except as provided in subdivision (e), an initial order of combined hospitalization and alternative treatment shall not exceed 90 days. The hospitalization portion of the initial order shall not exceed 60 days.
- (d) An initial order of assisted outpatient treatment shall not exceed 180 days.
- (e) An initial order of combined hospitalization and assisted outpatient treatment shall not exceed 180 days. The hospitalization portion of the initial order shall not exceed 60 days.

(2) Upon the receipt of a petition under section 473 before the expiration of an initial order under subsection (1) and a finding that the individual continues to be a person requiring treatment, the court shall issue a second order for involuntary mental health treatment that shall be limited in duration as follows:

- (a) A second order of hospitalization shall not exceed 90 days.
- (b) A second order of alternative treatment or assisted outpatient treatment shall not exceed 1 year.
- (c) A second order of combined hospitalization and alternative treatment or hospitalization and assisted outpatient treatment shall not exceed 1 year. The hospitalization portion of the second order shall not exceed 90 days.

(3) Upon the receipt of a petition under section 473 before the expiration of a second order under subsection (2) and a finding that the individual continues to be a person requiring treatment, the court shall issue a continuing order for involuntary mental health treatment that shall be limited in duration as follows:

- (a) A continuing order of hospitalization shall not exceed 1 year.
- (b) A continuing order of alternative treatment or assisted outpatient treatment shall not exceed 1 year.
- (c) A continuing order of combined hospitalization and alternative treatment or hospitalization and assisted outpatient treatment shall not exceed 1 year. The hospitalization portion of a continuing order for combined hospitalization and alternative treatment or hospitalization and assisted outpatient treatment shall not exceed 90 days.

(4) Upon the receipt of a petition under section 473 before the expiration of a continuing order of involuntary mental health treatment, including a continuing order issued under section 485a or a 1-year order of hospitalization issued under former section 472, and a finding that the individual continues to be a person requiring treatment, the court shall issue another continuing order for involuntary mental health treatment as provided in subsection (3) for a period not to exceed 1 year. The court shall continue to issue consecutive 1-year continuing orders for involuntary mental health treatment under this section until a continuing order expires without a petition having been filed under section 473 or the court finds that the individual is not a person requiring treatment.

(5) If a petition for an order of involuntary mental health treatment is not brought under section 473 at least 14 days before the expiration of an order of involuntary mental health treatment as described in subsections (2) to (4), a person who believes that an individual continues to be a person requiring treatment may file a petition under section 434 for an initial order of involuntary mental health treatment as described in subsection (1).

**History:** Add. 1996, Act 588, Imd. Eff. Jan. 21, 1997;—Am. 2004, Act 498, Eff. Mar. 30, 2005;—Am. 2016, Act 320, Eff. Feb. 14, 2017.