

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

333.6123 Substance abuse treatment and rehabilitation services for minor; request by parent or person in locoparentis; diagnostic evaluation; detoxification services; condition to performing services; performing services for physiologically dependent minor; use of psychotropic drugs.

Sec. 6123. (1) A program that is requested by a child's parent or a person in loco parentis to a child to perform substance abuse treatment and rehabilitation services for the child may perform those services for the child without the child's consent if the child is less than 14 years of age, as verified by the child's parents or person acting in loco parentis, and if the request is made in writing.

(2) A minor's parent or a person in loco parentis to a minor may request that substance abuse treatment and rehabilitation services be provided to the minor by a program.

(3) If substance abuse treatment and rehabilitation services are requested under subsection (2) and the minor does not consent to the substance abuse treatment and rehabilitation services, the program shall cause to have conducted a diagnostic evaluation to determine whether the minor is physiologically dependent. Except as otherwise provided in subsection (4), a diagnostic evaluation shall be conducted within 48 hours of the request for substance abuse treatment and rehabilitation services.

(4) If it is determined during a diagnostic evaluation conducted under subsection (3) that the minor is in need of detoxification, the program may arrange for detoxification services and those services may be performed, with the consent of the minor's parent or person in loco parentis to the minor and without the minor's consent, for a period that shall not exceed 5 days. After the minor's detoxification, the program shall cause to have the minor's diagnostic evaluation completed within 48 hours.

(5) Except as otherwise provided in subsection (6), after a diagnostic evaluation has been completed under this section, substance abuse treatment and rehabilitation services shall not be performed unless 1 of the following occurs:

(a) The minor consents to substance abuse treatment and rehabilitation services.

(b) It is determined under section 6124 that substance abuse treatment and rehabilitation services are necessary for the minor.

(6) If it is determined as a result of a diagnostic evaluation conducted under this section that the minor is physiologically dependent, substance abuse treatment and rehabilitation services may be performed without the minor's consent pending a hearing under section 6124 and for a period that shall not exceed 7 business days.

(7) Psychotropic drugs shall not be used under this section by a program on a minor unless the minor consents or the court orders the use of the drugs at a hearing under section 6124.

History: Add. 1987, Act 224, Imd. Eff. Dec. 28, 1987.

Popular name: Act 368