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3 **Title: Changing Language in Psychiatric Certifications**  
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5 **Introduced by: Domenic R. Federico, MD, for the Kent County Delegation**  
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7 **Original Author: David W. Whalen, MD**  
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9 **Referred to: Reference Committee B**  
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11 **House Action: Adopted**  
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14 **Whereas, most patients who are admitted involuntarily to a psychiatric**  
15 **hospital in the State of Michigan require a Clinical Certificate (“Cert”) be done**  
16 **by a physician, and**

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18 **Whereas, this form, provided by the State of Michigan Probate Court,**  
19 **requires the physician to read a statement to a patient informing him or her that**  
20 **the information gathered may be used in court at a hearing to determine if a**  
21 **patient should remain hospitalized involuntarily, and**

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23 **Whereas, this form requires the physician to certify “that on this date I**  
24 **read the above statement to the individual before asking any questions or**  
25 **conducting any examination,” and**

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27 **Whereas, many cert’s are done by Emergency Physicians who are**  
28 **required by federal law, the Emergency Medical Treatment and Active Labor Act**  
29 **(EMTALA), to medically screen every patient who presents to the emergency**  
30 **department, and**

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32 **Whereas, this medical screening exam involves asking questions and**  
33 **doing an exam and is often done before it is clear that the patient has a**  
34 **psychiatric condition warranting involuntary hospitalization, and**

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36 **Whereas, this requires a physician to either fill out the form untruthfully**  
37 **or be unable to fill out the form; therefore be it**

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39 **RESOLVED: That MSMS work with the State of Michigan Probate Court**  
40 **to find language that would allow a Clinical Certification to be filled out on a**  
41 **patient on whom a medical screening exam was performed pursuant to**  
42 **compliance with the Emergency Medical Treatment and Active Labor Act**  
43 **(EMTALA) and prior to the certification statement being read to the patient.**  
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46 **WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE**