



House
Legislative
Analysis
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RELEASE OF CHILD ABUSE INFO.

House Bill 5999 (Substitute H-1)
First Analysis (9-19-90)

RECEIVED

Sponsor: Rep. Teola P. Hunter
Committee: Social Services & Youth

24 1990

State Law Library

THE APPARENT PROBLEM:

The House and Senate standing committees and appropriations subcommittees with jurisdiction over legislation concerning social services and youth are responsible for improving problematic laws and policies in those areas. However, some representatives feel that it is hard to evaluate programs because they do not have access to confidential information about cases involving child abuse and neglect.

In addition, there have been several instances when the committees and subcommittees have requested information about specific cases that have been brought to their attention, and the Department of Social Services (DSS) has been unable to accommodate these requests because the legislature is not one of the groups that is allowed to receive confidential information under the Child Protection Law. When these situations occur, and the department is reluctant to divulge information, some feel that the department is covering up its mistakes. Further, there is an erosion of public confidence and legislative confidence in the department when information is not forthcoming from the department.

THE CONTENT OF THE BILL:

The bill would amend the Child Protection Law to require the DSS to give information contained in the central registry (record of all child abuse and neglect reports filed with the department) and reports and records made according to the act to the standing committee or an appropriations subcommittee of either house of the legislature with jurisdiction over protective services matters when requested by the committee. Confidential information would only be discussed in closed meetings. Information would only be forwarded to a committee if

- the chairperson of the committee or subcommittee requested the information in order to review the department's protective services program
- the director of the Office of Children and Youth Services determined and the chairperson of the committee or subcommittee agreed that the information should be brought before a standing committee or subcommittee for the purpose of having the committee review the department's protective services program

MCL 722 622 and 722 627a

FISCAL IMPLICATIONS:

According to the Department of Social Services, the bill would have no fiscal implications for the state (9-18-90)

ARGUMENTS:

For:

Although the legislature's standing committees and appropriations subcommittees do receive general information regarding cases of child abuse or neglect, the legislature currently does not have access to specific case

files regarding child abuse and neglect. Some legislators feel that the lack of access to case files hampers them from carrying out their oversight responsibilities regarding the protective services program and its effect on children. For example, after viewing case files, some legislators may feel that more information needs to be included in child abuse and neglect files. However, without access to files, the committees and subcommittees have no first hand knowledge of the problems that they are required to address and may feel reluctant about making recommendations for changes to protective services. The bill will remedy this situation by giving the committees and subcommittees the access to files and records that they need. In addition, the bill will ensure that the department is responsive to questions from the legislature in regards to cases affecting programs which are overseen by the legislature.

POSITIONS:

The Department of Social Services supports the bill (9-18-90)

H B 5999 (9-19-90)