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**SFA**

BILL ANALYSIS

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Senate Bill 1152 (as reported without amendment)  
Sponsor: Senator Joel D. Gougeon  
Committee: Families, Mental Health and Human Services

## **CONTENT**

The bill would amend the juvenile code to require the Family Independence Agency (FIA) to review a child's case with the child's physician under certain circumstances; and authorize the termination of a person's parental rights if the parent were convicted of certain crimes.

The bill provides that, in order to ensure that a case service plan addressed the medical needs of an abused or neglected child, the FIA would have to review the child's case with either his or her attending physician of record during a hospitalization or his or her primary care physician, but only if a physician diagnosed the child's abuse or neglect as having involved one or more of the following: failure to thrive, Munchausen syndrome by proxy, shaken baby syndrome, a bone fracture that was diagnosed as being the result of abuse or neglect, or drug exposure. If the child were placed outside of his or her home, then, in a judicial proceeding to determine if the child should be returned to the home, the court would have to allow the physician to testify regarding the case service plan.

Under the bill, in addition to the current grounds for termination of parental rights, parental rights could be terminated if the parent were convicted of any of the following: first- or second-degree murder; first-, second-, third-, or fourth-degree criminal sexual conduct (CSC); assault with intent to commit CSC; a violation of a criminal statute, an element of which was the use or threat of force, and that subjected the parent to habitual offender sentence enhancements under the Code of Criminal Procedure; or a Federal law or law of another state with provisions substantially similar to a crime or procedure listed above.

MCL 712A.18f et al.

Legislative Analyst: S. Lowe

## **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State government. In FY 1996-97 the FIA substantiated 11,577 out of 59,829 child abuse and neglect complaints. It is unknown if the physician or the hospital would charge a consultation fee for a joint review of a child's case. If so, then there would be an increase in expenditures based on the number of substantiated complaints involved. The department could have additional children eligible for adoption as a result in the increased number of causes for rights termination, therefore increasing the expenditures for the administration of and payments for adoption cases. The department could spend additional funds due to an increase in the number of review hearings mandated by the bill. It appears that the bill would have no fiscal impact on local governments.

Date Completed: 5-21-98

Fiscal Analyst: C. Cole

[floor/sb1152](#)

Analysis available @ <http://www.michiganlegislature.org>

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