

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA

BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4117 (Substitute H-3 as passed by the House)

Sponsor: Representative Kirk Profit

House Committee: Human Services and Children

Senate Committee: Families, Mental Health and Human Services

Date Completed: 5-20-97

CONTENT

The bill would amend the Child Protection Law (CPL) to specify certain responsibilities of the Family Independence Agency (FIA) when the FIA had contact with a child in a school during an investigation of a report of child abuse or neglect.

The CPL requires schools and other institutions to cooperate with the FIA during an investigation of a report of child abuse or neglect and specifies that the required cooperation includes allowing access to the child without parental consent if access is necessary to complete the investigation or to prevent abuse or neglect of the child. The CPL also requires, however, that the person responsible for the child's health or welfare be notified of the FIA's contact with the child at the time or as soon afterward as the person can be reached. The bill specifies that the FIA would have to provide that notification. The bill also specifies, however, that the FIA could delay the notification if it would compromise the safety of the child or his or her siblings or the integrity of the investigation. The delay could be only for the time that one of those conditions existed.

Under the bill, if the FIA had contact with a child in a school, all of the following would apply:

- Before contact, the FIA investigator would have to review with the designated school staff person the FIA's responsibilities under the CPL and the investigation procedure.
- After contact, the FIA investigator would have to meet with the designated school staff person and the child about the response the FIA would take as a result of contact with the child. The FIA also could meet with the designated school staff person without the child present and share additional information the investigator determined could be shared, subject to the CPL's confidentiality provisions.
- Lack of cooperation by the school would not relieve or prevent the FIA from proceeding with its responsibilities under the CPL.

MCL 722.628

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State government. The increase in staff time that could be necessary for investigations would increase costs for the Family Independence Agency.

Fiscal Analyst: C. Cole

S9798\S4117SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.