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BILL ANALYSIS



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Senate Bill 1410 (as introduced 9-7-06)
Sponsor: Senator Bill Hardiman
Committee: Families and Human Services

Date Completed: 9-12-06

CONTENT

The bill would amend the Child Protection Law (CPL) to require a law enforcement agency that received an allegation of child abuse or neglect that was classified as high risk to contact the Department of Human Services (DHS) within 24 hours, and to include a 24-hour deadline on certain other reporting requirements included in the CPL.

The CPL requires certain professionals (including physicians, nurses, medical examiners, psychologists, social workers, teachers, members of the clergy, and regulated child care providers) to make an oral report to the DHS if they have reasonable cause to suspect child abuse or neglect, to be followed within 72 hours by a written report. In addition, the CPL requires certain DHS employees (including an eligibility specialist, family independence specialist, family independence manager, social service specialist, social work specialist, and welfare services specialist) to make a report of suspected child abuse or neglect. Law enforcement agencies also are subject to reporting requirements, and the CPL imposes investigative requirements on the DHS and law enforcement agencies.

Under the bill, if a law enforcement agency received an allegation of child abuse or neglect that would be classified as high risk, the agency would have to notify the Department of Human Services in writing within 24 hours of receiving that information.

"High risk" would mean a report of alleged child abuse or neglect involving death or serious injury, alleged physical, sexual, or emotional abuse, neglect, endangerment, or exploitation, or any situation that threatens the life of a child.

Under the bill, the DHS employees subject to reporting requirements would have to make an immediate oral report of suspected abuse or neglect, and would have to file a written report within 72 hours after making the oral report.

Under the CPL, if an allegation, written report, or subsequent investigation indicates that certain violations involving methamphetamine have occurred, or an investigation indicates that the suspected abuse or neglect was committed by a person who was not responsible for the child's health or welfare, including a member of the clergy, a teacher, or a teacher's aide, the DHS must transmit a copy of the allegation or written report, and the results of any investigation to a law enforcement agency in the county in which the incident occurred.

The bill would require the DHS to transmit a copy of the allegation or report and investigation results to the law enforcement agency within 24 hours of receipt.

Under the CPL, if an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect is a child care provider, and the Department believes the report to be true, it must transmit a copy of the written report or the results of the investigation to the child care regulatory agency with authority over the child care location.

Under the bill, the DHS would have to transmit that report or the results of the investigation within 24 hours of completion.

MCL 722.622 & 722.623

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the Department of Human Services. The expeditiousness of reporting would increase administrative costs, but at this time the extent cannot be determined. Public Act 345 of 2006, Section 1004 appropriates funds for five additional high risk investigators, which would offset additional administrative costs.

The bill would have no fiscal impact on the Department of State Police.

Fiscal Analyst: Bruce Baker
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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.