



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4893 (Substitute H-2 as reported without amendment)

Sponsor: Representative Margaret O'Brien

House Committee: Families, Children, and Seniors

Senate Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Child Protection Law to do all of the following:

- Specify that the Department of Human Services (DHS) would have to send notices regarding suspected child abuse or neglect reports to named perpetrators via registered or certified mail, return receipt requested, and delivery restricted to the addressee.
- Allow a person who was the subject of a report or record to request the DHS to expunge a report or record by requesting a hearing within 180 days of receiving the notice.
- Require information identifying the subject of a report to be expunged from the central registry if an investigation did not show child abuse or child neglect by a preponderance of the evidence.
- Require information identifying the subject of a report to be expunged from the central registry if a court dismissed a petition based on the merits of a petition under the juvenile code because the petitioner failed to establish that the child was within the court's jurisdiction.
- Limit to 10 years the length of time that the DHS must maintain information in the central registry for certain perpetrators.
- Provide that confidential records filed under the Law would be available to a court for the purposes of determining the suitability of a person as a guardian of a minor.
- Include a "court-operated facility" as approved under Section 14 of the Social Welfare Act within the definition of "person responsible for child's health or welfare".

The bill would take effect 180 days after it was enacted.

MCL 722.622 et al.

Legislative Analyst: Glenn Steffens

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the State and no impact on local units of government. Due to the creation of a 10-year limit on the retention of some information in child abuse and neglect registry, the State would incur some additional expenses for information technology updates. Additionally, the bill could result in some increased costs if the number of administrative hearings increased, or if the number of notifications sent via certified mail increased.

Date Completed: 12-9-13

Fiscal Analyst: Frances Carley