

HOUSE BILL No. 4893

July 18, 2013, Introduced by Rep. O'Brien and referred to the Committee on Families,
Children, and Seniors.

A bill to amend 1975 PA 238, entitled
"Child protection law,"
by amending sections 2, 7, and 8d (MCL 722.622, 722.627, and
722.628d), section 2 as amended by 2004 PA 563, section 7 as
amended by 2011 PA 70, and section 8d as amended by 2006 PA 618.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Adult foster care location authorized to care for a
3 child" means an adult foster care family home or adult foster care
4 small group home as defined in section 3 of the adult foster care
5 facility licensing act, 1979 PA 218, MCL 400.703, in which a child
6 is placed in accordance with section 5 of 1973 PA 116, MCL 722.115.

7 (b) "Attorney" means, if appointed to represent a child under
8 the provisions referenced in section 10, an attorney serving as the
9 child's legal advocate in the manner defined and described in

1 section 13a of chapter XIIIA of the probate code of 1939, 1939 PA
2 288, MCL 712A.13a.

3 (c) "Central registry" means the system maintained at the
4 department that is used to keep a record of all reports filed with
5 the department under this act in which relevant and accurate
6 evidence of child abuse or neglect is found to exist.

7 (d) "Central registry case" means a child protective services
8 case that the department classifies under sections 8 and 8d as
9 category I or category II. For a child protective services case
10 that was investigated before July 1, 1999, central registry case
11 means an allegation of child abuse or neglect that the department
12 substantiated.

13 (e) "Child" means a person under 18 years of age.

14 (f) "Child abuse" means harm or threatened harm to a child's
15 health or welfare that occurs through nonaccidental physical or
16 mental injury, sexual abuse, sexual exploitation, or maltreatment,
17 by a parent, a legal guardian, or any other person responsible for
18 the child's health or welfare or by a teacher, a teacher's aide, or
19 a member of the clergy.

20 (g) "Child care organization" means that term as defined in
21 section 1 of 1973 PA 116, MCL 722.111.

22 (h) "Child care provider" means an owner, operator, employee,
23 or volunteer of a child care organization or of an adult foster
24 care location authorized to care for a child.

25 (i) "Child care regulatory agency" means the department of
26 ~~consumer and industry services~~ or a successor state department that
27 is responsible for the licensing or registration of child care

1 organizations or the licensing of adult foster care locations
2 authorized to care for a child.

3 (j) "Child neglect" means harm or threatened harm to a child's
4 health or welfare by a parent, legal guardian, or any other person
5 responsible for the child's health or welfare that occurs through
6 either of the following:

7 (i) Negligent treatment, including the failure to provide
8 adequate food, clothing, shelter, or medical care.

9 (ii) Placing a child at an unreasonable risk to the child's
10 health or welfare by failure of the parent, legal guardian, or
11 other person responsible for the child's health or welfare to
12 intervene to eliminate that risk when that person is able to do so
13 and has, or should have, knowledge of the risk.

14 (k) "Citizen review panel" means a panel established as
15 required by section 106 of title I of the child abuse prevention
16 and treatment act, ~~Public Law 93-247, 42 U.S.C. 5106a.~~ **42 USC 5106A.**

17 (l) "Member of the clergy" means a priest, minister, rabbi,
18 Christian science practitioner, or other religious practitioner, or
19 similar functionary of a church, temple, or recognized religious
20 body, denomination, or organization.

21 (m) "Controlled substance" means that term as defined in
22 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

23 (n) "CPSI system" means the child protective service
24 information system, which is an internal data system maintained
25 within and by the department, and which is separate from the
26 central registry and not subject to section 7.

27 (o) "Department" means the ~~family independence~~

1 ~~agency~~-DEPARTMENT OF HUMAN SERVICES.

2 (p) "Director" means the director of the department.

3 (q) "Expunge" means to physically remove or eliminate and
4 destroy a record or report.

5 (r) "Lawyer-guardian ad litem" means an attorney appointed
6 under section 10 who has the powers and duties referenced by
7 section 10.

8 (s) "Local office file" means the system used to keep a record
9 of a written report, document, or photograph filed with and
10 maintained by a county or a regionally based office of the
11 department.

12 (t) "Nonparent adult" means a person who is 18 years of age or
13 older and who, regardless of the person's domicile, meets all of
14 the following criteria in relation to a child:

15 (i) Has substantial and regular contact with the child.

16 (ii) Has a close personal relationship with the child's parent
17 or with a person responsible for the child's health or welfare.

18 (iii) Is not the child's parent or a person otherwise related to
19 the child by blood or affinity to the third degree.

20 (u) "Person responsible for the child's health or welfare"
21 means a parent, legal guardian, person 18 years of age or older who
22 resides for any length of time in the same home in which the child
23 resides, or, except when used in section 7(2)(e) or 8(8), nonparent
24 adult; or an owner, operator, volunteer, or employee of 1 or more
25 of the following:

26 (i) A licensed or registered child care organization.

27 (ii) A licensed or unlicensed adult foster care family home or

1 adult foster care small group home as defined in section 3 of the
2 adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

3 (iii) **A COURT-OPERATED FACILITY AS APPROVED UNDER SECTION 14 OF**
4 **THE SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.14.**

5 (v) "Relevant evidence" means evidence having a tendency to
6 make the existence of a fact that is at issue more probable than it
7 would be without the evidence.

8 (w) "Sexual abuse" means engaging in sexual contact or sexual
9 penetration as those terms are defined in section 520a of the
10 Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

11 (x) "Sexual exploitation" includes allowing, permitting, or
12 encouraging a child to engage in prostitution, or allowing,
13 permitting, encouraging, or engaging in the photographing, filming,
14 or depicting of a child engaged in a listed sexual act as defined
15 in section 145c of the Michigan penal code, 1931 PA 328, MCL
16 750.145c.

17 (y) "Specified information" means information in a children's
18 protective services case record related specifically to the
19 department's actions in responding to a complaint of child abuse or
20 **CHILD** neglect. Specified information does not include any of the
21 following:

22 (i) Except as provided in this subparagraph regarding a
23 perpetrator of child abuse or neglect, personal identification
24 information for any individual identified in a child protective
25 services record. The exclusion of personal identification
26 information as specified information prescribed by this
27 subparagraph does not include personal identification information

1 identifying an individual alleged to have perpetrated child abuse
2 or neglect, which allegation has been classified as a central
3 registry case.

4 (ii) Information in a law enforcement report as provided in
5 section 7(8).

6 (iii) Any other information that is specifically designated as
7 confidential under other law.

8 (iv) Any information not related to the department's actions in
9 responding to a report of child abuse or neglect.

10 (z) "Structured decision-making tool" means the department
11 document labeled "DSS-4752 (P3) (3-95)" or a revision of that
12 document that better measures the risk of future harm to a child.

13 (aa) "Substantiated" means a child protective services case
14 classified as a central registry case.

15 (bb) "Unsubstantiated" means a child protective services case
16 the department classifies under sections 8 and 8d as category III,
17 category IV, or category V.

18 Sec. 7. (1) The department shall maintain a statewide,
19 electronic central registry to carry out the intent of this act.

20 (2) Unless made public as specified information released under
21 section 7d, a written report, document, or photograph filed with
22 the department as provided in this act is a confidential record
23 available only to 1 or more of the following:

24 (a) A legally mandated public or private child protective
25 agency investigating a report of known or suspected child abuse or
26 neglect or a legally mandated public or private child protective
27 agency or foster care agency prosecuting a disciplinary action

1 against its own employee involving child protective services or
2 foster records.

3 (b) A police or other law enforcement agency investigating a
4 report of known or suspected child abuse or neglect.

5 (c) A physician who is treating a child whom the physician
6 reasonably suspects may be abused or neglected.

7 (d) A person legally authorized to place a child in protective
8 custody when the person is confronted with a child whom the person
9 reasonably suspects may be abused or neglected and the confidential
10 record is necessary to determine whether to place the child in
11 protective custody.

12 (e) A person, agency, or organization, including a
13 multidisciplinary case consultation team, authorized to diagnose,
14 care for, treat, or supervise a child or family who is the subject
15 of a report or record under this act, or who is responsible for the
16 child's health or welfare.

17 (f) A person named in the report or record as a perpetrator or
18 alleged perpetrator of the child abuse or neglect or a victim who
19 is an adult at the time of the request, if the identity of the
20 reporting person is protected as provided in section 5.

21 (g) A court **FOR THE PURPOSES OF DETERMINING THE SUITABILITY OF**
22 **A PERSON AS A GUARDIAN OF A MINOR OR** that **OTHERWISE** determines **THAT**
23 the information is necessary to decide an issue before the court.
24 In the event of a child's death, a court that had jurisdiction over
25 that child under section 2(b) of chapter XIIA of the probate code
26 of 1939, 1939 PA 288, MCL 712A.2.

27 (h) A grand jury that determines the information is necessary

1 to conduct the grand jury's official business.

2 (i) A person, agency, or organization engaged in a bona fide
3 research or evaluation project. The person, agency, or organization
4 shall not release information identifying a person named in the
5 report or record unless that person's written consent is obtained.
6 The person, agency, or organization shall not conduct a personal
7 interview with a family without the family's prior consent and
8 shall not disclose information that would identify the child or the
9 child's family or other identifying information. The department
10 director may authorize the release of information to a person,
11 agency, or organization described in this subdivision if the
12 release contributes to the purposes of this act and the person,
13 agency, or organization has appropriate controls to maintain the
14 confidentiality of personally identifying information for a person
15 named in a report or record made under this act.

16 (j) A lawyer-guardian ad litem or other attorney appointed as
17 provided by section 10.

18 (k) A child placing agency licensed under 1973 PA 116, MCL
19 722.111 to 722.128, for the purpose of investigating an applicant
20 for adoption, a foster care applicant or licensee or an employee of
21 a foster care applicant or licensee, an adult member of an
22 applicant's or licensee's household, or other persons in a foster
23 care or adoptive home who are directly responsible for the care and
24 welfare of children, to determine suitability of a home for
25 adoption or foster care. The child placing agency shall disclose
26 the information to a foster care applicant or licensee under 1973
27 PA 116, MCL 722.111 to 722.128, or to an applicant for adoption.

1 (l) Family division of circuit court staff authorized by the
2 court to investigate foster care applicants and licensees,
3 employees of foster care applicants and licensees, adult members of
4 the applicant's or licensee's household, and other persons in the
5 home who are directly responsible for the care and welfare of
6 children, for the purpose of determining the suitability of the
7 home for foster care. The court shall disclose this information to
8 the applicant or licensee.

9 (m) Subject to section 7a, a standing or select committee or
10 appropriations subcommittee of either house of the legislature
11 having jurisdiction over child protective services matters.

12 (n) The children's ombudsman appointed under the children's
13 ombudsman act, 1994 PA 204, MCL 722.921 to 722.932.

14 (o) A child fatality review team established under section 7b
15 and authorized under that section to investigate and review a child
16 death.

17 (p) A county medical examiner or deputy county medical
18 examiner appointed under 1953 PA 181, MCL 52.201 to 52.216, for the
19 purpose of carrying out his or her duties under that act.

20 (q) A citizen review panel established by the department.
21 Access under this subdivision is limited to information the
22 department determines is necessary for the panel to carry out its
23 prescribed duties.

24 (r) A child care regulatory agency.

25 (s) A foster care review board for the purpose of meeting the
26 requirements of 1984 PA 422, MCL 722.131 to 722.139a.

27 (t) A local friend of the court office.

1 (U) A LABOR UNION REPRESENTATIVE OF THE DEPARTMENT EMPLOYEE'S
2 BARGAINING UNIT ACTIVELY REPRESENTING THE EMPLOYEE IN A
3 DISCIPLINARY ACTION, OR AN ARBITRATOR OR ADMINISTRATIVE LAW JUDGE
4 CONDUCTING A HEARING INVOLVING THE EMPLOYEE'S DERELICTION,
5 MALFEASANCE, OR MISFEASANCE OF DUTY, TO BE USED SOLELY IN
6 CONNECTION WITH THAT ACTION OR HEARING. A PERSON TO WHOM
7 INFORMATION IS DISCLOSED UNDER THIS SUBDIVISION SHALL NOT FURTHER
8 DISCLOSE THE INFORMATION AND SHALL RETURN ANY WRITTEN INFORMATION
9 WITHIN 10 DAYS OF THE CONCLUSION OF THAT ACTION OR HEARING. A LABOR
10 UNION THAT FAILS TO PROPERLY RETURN ANY WRITTEN INFORMATION
11 PROVIDED UNDER THIS SUBDIVISION FORFEITS THE AUTHORITY TO RECEIVE
12 INFORMATION UNDER THIS SUBDIVISION UNTIL THE PREVIOUSLY PROVIDED
13 INFORMATION IS RETURNED.

14 (3) Subject to subsection (9), a person or entity to whom
15 information described in subsection (2) is disclosed shall make the
16 information available only to a person or entity described in
17 subsection (2). This subsection does not require a court proceeding
18 to be closed that otherwise would be open to the public.

19 (4) If the department classifies a report of suspected child
20 abuse or neglect as a central registry case, the department shall
21 maintain a record in the central registry and, within 30 days after
22 the classification, shall notify in writing each person who is
23 named in the record as a perpetrator of the child abuse or neglect.
24 **THE NOTICE SHALL BE SENT BY REGISTERED OR CERTIFIED MAIL, RETURN**
25 **RECEIPT REQUESTED, AND DELIVERY RESTRICTED TO THE ADDRESSEE.** The
26 notice shall set forth the person's right to request expunction of
27 the record and the right to a hearing if the department refuses the

1 request. The notice shall state that the record may be released
2 under section 7d. The notice shall not identify the person
3 reporting the suspected child abuse or neglect.

4 (5) A person who is the subject of a report or record made
5 under this act may request the department to amend an inaccurate
6 report or record from the central registry and local office file. A
7 person who is the subject of a report or record made under this act
8 may request the department to expunge from the central registry a
9 report or record ~~in which no relevant and accurate evidence of~~
10 ~~abuse or neglect is found to exist~~ **BY REQUESTING A HEARING UNDER**
11 **SUBSECTION (6)**. A report or record filed in a local office file is
12 not subject to expunction except as the department authorizes, if
13 considered in the best interest of the child.

14 ~~(6) If the department refuses a request for amendment or~~
15 ~~expunction under subsection (5), or fails to act within 30 days~~
16 ~~after receiving the request,~~ **A PERSON WHO IS THE SUBJECT OF A**
17 **REPORT OR RECORD MADE UNDER THIS ACT MAY, WITHIN 90 DAYS FROM THE**
18 **DATE OF SERVICE OF NOTICE OF THE RIGHT TO A HEARING, REQUEST THE**
19 **DEPARTMENT HOLD A HEARING TO REVIEW THE REQUEST FOR AMENDMENT OR**
20 **EXPUNCTION. IF THE HEARING REQUEST IS MADE WITHIN 90 DAYS OF THE**
21 **NOTICE,** the department shall hold a hearing to determine by a
22 preponderance of the evidence whether the report or record in whole
23 or in part should be amended or expunged from the central registry.
24 ~~on the grounds that the report or record is not relevant or~~
25 ~~accurate evidence of abuse or neglect.~~ The hearing shall be held
26 before a hearing officer appointed by the department and shall be
27 conducted as prescribed by the administrative procedures act of

1 1969, 1969 PA 306, MCL 24.201 to 24.328. THE DEPARTMENT MAY, FOR
2 GOOD CAUSE, HOLD A HEARING UNDER THIS SUBSECTION IF THE DEPARTMENT
3 DETERMINES THAT THE PERSON WHO IS THE SUBJECT OF THE REPORT OR
4 RECORD SUBMITTED THE REQUEST FOR A HEARING WITHIN 60 DAYS AFTER THE
5 90-DAY NOTICE PERIOD EXPIRED.

6 (7) If the investigation of a report conducted under this act
7 ~~fails to disclose evidence of~~ DOES NOT SHOW abuse or neglect BY A
8 PREPONDERANCE OF EVIDENCE, OR IF A COURT DISMISSES A PETITION BASED
9 ON THE MERITS OF THE PETITION FILED UNDER SECTION 2(B) OF CHAPTER
10 XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL 712A.2, BECAUSE
11 THE PETITIONER HAS FAILED TO ESTABLISH THAT THE CHILD COMES WITHIN
12 THE JURISDICTION OF THE COURT, the information identifying the
13 subject of the report shall be expunged from the central registry.
14 If A PREPONDERANCE OF evidence of abuse or neglect exists, OR IF A
15 COURT TAKES JURISDICTION OF THE CHILD UNDER SECTION 2(B) OF CHAPTER
16 XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL 712A.2, the
17 department shall maintain the information in the central registry
18 AS FOLLOWS:

19 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), FOR A PERSON LISTED
20 AS A PERPETRATOR IN CATEGORY I OR II UNDER SECTION 8D, EITHER AS A
21 RESULT OF AN INVESTIGATION OR AS A RESULT OF THE RECLASSIFICATION
22 OF A CASE, THE DEPARTMENT SHALL MAINTAIN THE INFORMATION IN THE
23 CENTRAL REGISTRY FOR 10 YEARS.

24 (B) FOR A PERSON LISTED AS A PERPETRATOR IN CATEGORY I OR II
25 UNDER SECTION 8D THAT INVOLVED ANY OF THE CIRCUMSTANCES LISTED IN
26 SECTION 17(1) OR 18(1), THE DEPARTMENT SHALL MAINTAIN THE
27 INFORMATION IN THE CENTRAL REGISTRY until the department receives

1 reliable information that the perpetrator of the abuse or neglect
2 is dead.

3 (8) In releasing information under this act, the department
4 shall not include a report compiled by a police agency or other law
5 enforcement agency related to an ongoing investigation of suspected
6 child abuse or neglect. This subsection does not prevent the
7 department from releasing reports of convictions of crimes related
8 to child abuse or neglect.

9 (9) A member or staff member of a citizen review panel shall
10 not disclose identifying information about a specific child
11 protection case to an individual, partnership, corporation,
12 association, governmental entity, or other legal entity. A member
13 or staff member of a citizen review panel is a member of a board,
14 council, commission, or statutorily created task force of a
15 governmental agency for the purposes of section 7 of 1964 PA 170,
16 MCL 691.1407. Information obtained by a citizen review panel is not
17 subject to the freedom of information act, 1976 PA 442, MCL 15.231
18 to 15.246.

19 ~~—— (10) An agency obtaining a confidential record under~~
20 ~~subsection (2) (a) may seek an order from the court having~~
21 ~~jurisdiction over the child or from the family division of the~~
22 ~~Ingham county circuit court that allows the agency to disseminate~~
23 ~~confidential child protective services or foster care information~~
24 ~~to pursue sanctions for alleged dereliction, malfeasance, or~~
25 ~~misfeasance of duty against an employee of the agency, to a~~
26 ~~recognized labor union representative of the employee's bargaining~~
27 ~~unit, or to an arbitrator or an administrative law judge who~~

~~1 conducts a hearing involving the employee's alleged dereliction,
2 malfeasance, or misfeasance of duty to be used solely in connection
3 with that hearing. Information released under this subsection shall
4 be released in a manner that maintains the greatest degree of
5 confidentiality while allowing review of employee performance.~~

6 Sec. 8d. (1) For the department's determination required by
7 section 8, the categories, and the departmental response required
8 for each category, are the following:

9 (a) Category V - services not needed. Following a field
10 investigation, the department determines that there is no evidence
11 of child abuse or neglect.

12 (b) Category IV - community services recommended. Following a
13 field investigation, the department determines that there is not a
14 preponderance of evidence of child abuse or neglect, but the
15 structured decision-making tool indicates that there is future risk
16 of harm to the child. The department shall assist the child's
17 family in voluntarily participating in community-based services
18 commensurate with the risk to the child.

19 (c) Category III - community services needed. The department
20 determines that there is a preponderance of evidence of child abuse
21 or neglect, and the structured decision-making tool indicates a low
22 or moderate risk of future harm to the child. The department shall
23 assist the child's family in receiving community-based services
24 commensurate with the risk to the child. If the family does not
25 voluntarily participate in services, or the family voluntarily
26 participates in services, but does not progress toward alleviating
27 the child's risk level, the department shall consider reclassifying

1 the case as category II.

2 (d) Category II - child protective services required. The
3 department determines that there is evidence of child abuse or
4 neglect, and the structured decision-making tool indicates a high
5 or intensive risk of future harm to the child. The department shall
6 open a protective services case and provide the services necessary
7 under this act. The department shall also list the perpetrator of
8 the child abuse or neglect, based on the report that was the
9 subject of the field investigation, on the central registry, either
10 by name or as "unknown" if the perpetrator has not been identified
11 **AS PROVIDED IN SECTION 7(7)**.

12 (e) Category I - court petition required. The department
13 determines that there is evidence of child abuse or neglect and 1
14 or more of the following are true:

15 (i) A court petition is required under another provision of
16 this act.

17 (ii) The child is not safe and a petition for removal is
18 needed.

19 (iii) The department previously classified the case as category
20 II and the child's family does not voluntarily participate in
21 services.

22 (iv) There is a violation, involving the child, of a crime
23 listed or described in section 8a(1)(b), (c), (d), or (f) or of
24 child abuse in the first or second degree as prescribed by section
25 136b of the Michigan penal code, 1931 PA 328, MCL 750.136b.

26 (2) In response to a category I classification, the department
27 shall do all of the following:

1 (a) If a court petition is not required under another
2 provision of this act, submit a petition for authorization by the
3 court under section 2(b) of chapter XIIA of the probate code of
4 1939, 1939 PA 288, MCL 712A.2.

5 (b) Open a protective services case and provide the services
6 necessary under this act.

7 (c) List the perpetrator of the child abuse or neglect, based
8 on the report that was the subject of the field investigation, on
9 the central registry, either by name or as "unknown" if the
10 perpetrator has not been identified **AS PROVIDED IN SECTION 7(7)**.

11 (3) The department is not required to use the structured
12 decision-making tool for a nonparent adult who resides outside the
13 child's home who is the victim or alleged victim of child abuse or
14 neglect or for an owner, operator, volunteer, or employee of a
15 licensed or registered child care organization or a licensed or
16 unlicensed adult foster care family home or adult foster care small
17 group home as those terms are defined in section 3 of the adult
18 foster care facility licensing act, 1979 PA 218, MCL 400.703.

19 (4) If following a field investigation the department
20 determines that there is a preponderance of evidence that an
21 individual listed in subsection (3) was the perpetrator of child
22 abuse or neglect, the department shall list the perpetrator of the
23 child abuse or neglect on the central registry **AS PROVIDED IN**
24 **SECTION 7(7)**.

25 ~~— (5) The department shall furnish a written report described in~~
26 ~~subsection (6) to the appropriate legislative standing committees~~
27 ~~and the house and senate appropriations subcommittees for the~~

1 ~~department within 4 months after each of the following time~~
2 ~~periods:~~

3 ~~—— (a) Beginning October 1, 2005 and ending September 30, 2006.~~

4 ~~—— (b) Beginning October 1, 2006 and ending September 30, 2007.~~

5 ~~—— (c) Beginning October 1, 2007 and ending September 30, 2008.~~

6 ~~—— (6) The department shall include in a report required by~~
7 ~~subsection (5) at least all of the following information regarding~~
8 ~~all families that were classified in category III at some time~~
9 ~~during the time period covered by the report:~~

10 ~~—— (a) The total number of families classified in category III.~~

11 ~~—— (b) The number of cases in category III closed or reclassified~~
12 ~~during the time period covered by the report categorized as~~
13 ~~follows:~~

14 ~~—— (i) The number of cases referred to voluntary community~~
15 ~~services and closed with no additional monitoring.~~

16 ~~—— (ii) The number of cases referred to voluntary community~~
17 ~~services and monitored for up to 90 days.~~

18 ~~—— (iii) The number of cases for which the department entered more~~
19 ~~than 1 determination that there was evidence of child abuse or~~
20 ~~neglect.~~

21 ~~—— (iv) The number of cases that the department reclassified from~~
22 ~~category III to category II.~~

23 ~~—— (v) The number of cases that the department reclassified from~~
24 ~~category III to category I.~~

25 ~~—— (vi) The number of cases that the department reclassified from~~
26 ~~category III to category I that resulted in a removal.~~

27 ~~—— (c) For the periods described in subsection (5) (b) and (c),~~

1 ~~the number of cases that the department reclassified in each of~~
2 ~~subparagraphs (iv), (v), and (vi) of subdivision (b) that were~~
3 ~~referred to and provided voluntary community services before being~~
4 ~~reclassified by the department.~~