

SENATE BILL No. 1042

September 6, 2016, Introduced by Senator EMMONS and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11c (MCL 400.11c), as added by 1982 PA 519.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11c. (1) The identity of a person making a report under
2 section 11a or 11b shall be confidential, subject only to
3 disclosure with the consent of that person or by judicial process.
4 A person acting in good faith who makes a report or who assists in
5 the implementation of sections 11 to ~~11b, 11d to 11f~~ , and this
6 ~~section shall be~~ **IS** immune from civil liability ~~which~~ **THAT** might
7 otherwise be incurred by making the report or by assisting in the
8 making of the report. A person making a report or assisting in the
9 implementation of sections 11 to ~~11b, 11d to 11f~~ , and this section

1 ~~shall be~~ **IS** presumed to have acted in good faith. The immunity from
2 civil liability extends only to an act performed under sections 11
3 to 11b, ~~11d to 11f , and this section,~~ and shall **DOES** not extend to
4 a negligent act ~~which~~ **THAT** causes personal injury or death.

5 (2) Any legally recognized privileged communication, except
6 that between attorney and client and except as specified in section
7 11a(2), is abrogated and shall **DOES** not constitute grounds for
8 excusing a report otherwise required to be made ~~pursuant to~~ **UNDER**
9 this act.

10 (3) **NOTWITHSTANDING SUBSECTION (1) AND ANY OTHER**
11 **CONFIDENTIALITY PROVISIONS IN THIS ACT, INFORMATION OR RECORDS THAT**
12 **THE DEPARTMENT HAS IN ITS POSSESSION MAY BE DISCLOSED TO THE EXTENT**
13 **NECESSARY FOR THE PROPER FUNCTIONING OF THE DEPARTMENT OR ANOTHER**
14 **STATE DEPARTMENT.**

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.