

SENATE BILL No. 1043

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

A bill to amend 1975 PA 238, entitled
"Child protection law,"
by amending section 5 (MCL 722.625), as amended by 2004 PA 563.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Except for records available under section
2 7(2) (a), (b), and (n), the identity of a reporting person is
3 confidential subject to disclosure only with the consent of that
4 person or by judicial process. A person acting in good faith who
5 makes a report, cooperates in an investigation, or assists in any
6 other requirement of this act is immune from civil or criminal
7 liability that might otherwise be incurred by that action. A person
8 making a report or assisting in any other requirement of this act
9 is presumed to have acted in good faith. This immunity from civil

1 or criminal liability extends only to acts ~~done~~**PERFORMED** according
2 to this act and does not extend to a negligent act that causes
3 personal injury or death or to the malpractice of a physician that
4 results in personal injury or death.

5 **(2) NOTWITHSTANDING SUBSECTION (1) AND OTHER CONFIDENTIALITY**
6 **PROVISIONS IN THIS ACT, INFORMATION OR RECORDS THAT THE DEPARTMENT**
7 **HAS IN ITS POSSESSION MAY BE DISCLOSED TO THE EXTENT NECESSARY FOR**
8 **THE PROPER FUNCTIONING OF THE DEPARTMENT OR ANOTHER STATE**
9 **DEPARTMENT.**

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