

**SUBSTITUTE FOR
SENATE BILL NO. 973**

A bill to create the child welfare partnership council; and to prescribe the powers and duties of the council and certain state departments and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "child
2 welfare partnership council act".

3 Sec. 2. As used in this act:

4 (a) "Child placing agency" means that term as defined in
5 section 1 of 1973 PA 116, MCL 722.111.

6 (b) "Continuous quality improvement" means an ongoing process
7 used to evaluate the effectiveness of child welfare service
8 provisions using various sources of information to promote
9 continuous learning and improvement in child welfare practice

1 within the child welfare system and to promote the use of evidence-
2 based or evidence-informed programs.

3 (c) "Council" means the child welfare partnership council
4 created in section 3.

5 (d) "Department" means the department of human services.

6 (e) "Director" means the director of the department.

7 Sec. 3. (1) The department shall establish and operate a child
8 welfare partnership council.

9 (2) The council shall consist of 9 members as follows:

10 (a) The director or his or her designee.

11 (b) The director of the department of community health or his
12 or her designee.

13 (c) The director of the department of education or his or her
14 designee.

15 (d) One member representing private child welfare agencies
16 appointed by the governor from a list of 3 names submitted by
17 private child welfare agencies.

18 (e) Three members representing the public appointed by the
19 governor. To the extent possible, the public members appointed
20 under this subdivision shall do all of the following:

21 (i) Demonstrate knowledge in the area of foster care.

22 (ii) Be representative of the demographic composition of this
23 state.

24 (iii) Be representative of any of the following categories:
25 Birth and foster parents, former foster care children, professional
26 providers of foster care services, and volunteers in foster care
27 services.

1 (f) One family court judge appointed by the governor from a
2 list of 3 names submitted by the Michigan probate judges
3 association and the Michigan judges association.

4 (g) One county commissioner, county administrator, or court
5 administrator, appointed by the governor from a list of 3 names
6 submitted by the Michigan association of counties.

7 (3) The governor shall appoint a chairperson to serve for 1
8 year. The council shall appoint the chairperson after the first
9 year. The chairperson shall not serve more than 3 consecutive 1-
10 year terms.

11 (4) Members of the council appointed under subsection (2) (d)
12 to (g) shall serve for terms of 4 years or until a successor is
13 appointed, whichever is later, except that of the members first
14 appointed under subsection (2) (d) to (g), 2 shall serve for 4
15 years, 2 shall serve for 3 years, and 2 shall serve for 2 years.

16 (5) If a vacancy occurs on the council, the governor shall
17 make an appointment for the unexpired term in the same manner as
18 the original appointment.

19 (6) An appointment to the council by the governor under this
20 act takes effect unless the appointment is disapproved by a
21 majority vote of the members elected to and serving in the senate
22 within 60 session days after the date of the appointment. Any
23 appointment disapproved as described in this subsection shall be
24 filled in the same manner as the original appointment.

25 Sec. 4. (1) Members of the council shall participate without
26 compensation. Members of the council may receive reimbursement for
27 necessary travel and expenses consistent with relevant statutes and

1 the rules and procedures of the civil service commission and the
2 department of technology, management, and budget, subject to
3 available funding.

4 (2) A member of the council shall discharge the duties of the
5 position in a nonpartisan manner, in good faith, in the best
6 interests of children in this state, and with the degree of
7 diligence, care, and skill that an ordinarily prudent person would
8 exercise under similar circumstances in a like position. A member
9 of the council shall not make or participate in making a decision,
10 or in any way attempt to use his or her position as a member of the
11 council to influence a decision, on a matter before the council in
12 which the member is directly or indirectly interested. The council
13 shall adopt policies and procedures that require members to comply,
14 and the members of the council shall comply, with the requirements
15 of this subsection and all of the following:

16 (a) 1978 PA 566, MCL 15.181 to 15.185.

17 (b) 1968 PA 318, MCL 15.301 to 15.310, as if he or she were a
18 state officer.

19 (c) 1968 PA 317, MCL 15.321 to 15.330, as if he or she were a
20 public servant.

21 (d) 1973 PA 196, MCL 15.341 to 15.348, as if he or she were a
22 public officer.

23 (3) An individual who is not of good moral character or who
24 has been convicted of, pled guilty or no contest to, or forfeited
25 bail concerning a felony under the laws of this state, any other
26 state, or the United States shall not be appointed or remain as a
27 member of the council.

1 (4) The governor may remove a council member from office for a
2 violation of subsection (3).

3 Sec. 5. (1) The council shall do both of the following:

4 (a) Based on a data-driven system with data collected by the
5 department and any other relevant resource, the council shall guide
6 the ongoing planning, fiscal model, and continuous quality
7 improvement of a state-administered performance-based child welfare
8 system, including reviewing relevant data and performance outcomes
9 to advise the department.

10 (b) Provide input in the planning and final decision regarding
11 a plan to reinvest savings that are a result of the system in an
12 ongoing risk management pool, start-up costs, and performance
13 incentives.

14 (2) The council may establish subcommittees of council members
15 and advisory workgroups composed of public officers, public
16 employees, legislators, or members of the public who are not
17 members of the council. The council may adopt, reject, or modify
18 any recommendations proposed by a subcommittee or an advisory
19 workgroup.

20 (3) The business that the council may perform shall be
21 conducted at a public meeting of the council held in compliance
22 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

23 Sec. 6. Not later than December 1, 2015, and annually after
24 that, the council shall provide a report to the department, the
25 chairs of the senate and house appropriations committees, and the
26 chairs of the senate and house appropriations subcommittees on
27 human services that makes nonbinding recommendations regarding

1 implementation of a state-administrated performance-based child
2 welfare system.

3 Enacting section 1. This act is repealed effective May 1,
4 2018.