

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5372 (Substitute S-1 as reported)  
Sponsor: Representative Mary Ann Middaugh  
House Committee: Family and Children Services  
Senate Committee: Families, Mental Health and Human Services

### **CONTENT**

The bill would amend the Child Protection Law (CPL) to do the following:

- Require that the Department of Consumer and Industry Services (DCIS) be notified when suspected child abuse or child neglect was committed by a child care provider and when a child care provider was bound over to circuit court for certain crimes.
- Include the DCIS among the entities to which the Family Independence Agency (FIA) may disclose confidential records in the central registry (which contains a record of all reports in which relevant and accurate evidence of child abuse or neglect is found to exist).
- Require the FIA to list on the central registry a nonparent adult residing outside a child's home or a child care provider if, after a field investigation, there were a preponderance of evidence that the person was the perpetrator of the child abuse or neglect.

The CPL requires certain professionals to report suspected abuse or neglect to the FIA. The FIA must send the prosecuting attorney a report of certain types of suspected child abuse or neglect, and a local law enforcement agency must refer an allegation to the county FIA if it receives a report indicating abuse or neglect committed by a person who is responsible for the child's health or welfare. Under the bill, if a report or investigation indicated that the individual who committed the abuse or neglect was a child care provider, the FIA or law enforcement agency also would have to send a copy of the written report or the results of the investigation to the DCIS.

In addition, the prosecutor must notify certain people if an individual is bound over to circuit court for certain sexual or assaultive crimes. If the individual is an employee of a child care organization, the prosecutor must notify the FIA and the owner or operator of that child care organization. The bill specifies, instead, that if the individual were a child care provider, the prosecutor would have to notify the FIA, the DCIS, and the owner or operator of the provider's child care organization or adult foster care location authorized to care for a child.

"Child care provider" would mean an owner, operator, employee, or volunteer of a child care organization or of an adult foster care location authorized to care for a child.

MCL 722.622 et al.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the State. The Family Independence Agency would incur additional administrative costs associated with more investigations and reports. The bill would have no fiscal impact on local government.

Date Completed: 9-20-02

Fiscal Analyst: Maria Tyszkiewicz  
Constance Cole