

HB 6204, As Passed Senate, December 12, 2002

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6204**

(As passed by the Senate, December 12, 2002)

A bill to amend 1975 PA 238, entitled
"Child protection law,"
(MCL 722.621 to 722.638) by adding section 7j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7J. (1) UPON WRITTEN REQUEST, THE DEPARTMENT MAY PRO-
2 VIDE TO AN INDIVIDUAL DOCUMENTATION STATING THAT THE INDIVIDUAL
3 IS NOT NAMED IN A CENTRAL REGISTRY CASE AS THE PERPETRATOR OF
4 CHILD ABUSE OR CHILD NEGLECT. THE WRITTEN REQUEST REQUIRED UNDER
5 THIS SECTION SHALL INCLUDE THE INDIVIDUAL'S AFFIRMATION THAT HE
6 OR SHE IS EMPLOYED BY, VOLUNTEERS AT, IS APPLYING FOR EMPLOYMENT
7 IN, OR IS SEEKING TO VOLUNTEER IN A CHILD CARE CENTER, CHILD
8 CARING INSTITUTION, OR CHILD PLACING AGENCY.

9 (2) FOR THE PURPOSE OF APPLYING FOR EMPLOYMENT OR SEEKING TO
10 VOLUNTEER IN A CHILD CARE CENTER, CHILD CARING INSTITUTION, OR
11 CHILD PLACING AGENCY, AN INDIVIDUAL MAY SHARE THE DOCUMENT

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2

1 PROVIDED IN SUBSECTION (1) WITH THE CHILD CARE CENTER OWNER OR
2 LICENSEE, OR A CHILD CARING INSTITUTION OR CHILD PLACING AGENCY,
3 OR AN INDIVIDUAL AUTHORIZED BY THE CHILD CARE CENTER OWNER OR
4 LICENSEE, THE CHILD CARING INSTITUTION, OR THE CHILD PLACING
5 AGENCY.

6 (3) THE FAMILY INDEPENDENCE AGENCY MAY DEVELOP AN AUTOMATED
7 SYSTEM THAT WILL ALLOW AN INDIVIDUAL APPLYING FOR CHILD-RELATED
8 EMPLOYMENT OR SEEKING TO VOLUNTEER IN A CAPACITY THAT WOULD ALL
OW
9 UNSUPERVISED ACCESS TO A CHILD FOR WHOM THE INDIVIDUAL IS NOT A
10 PERSON RESPONSIBLE FOR THAT CHILD'S HEALTH OR WELFARE TO BE
11 LISTED IN THAT SYSTEM IF A SCREENING OF THE INDIVIDUAL FINDS THAT
12 HE OR SHE HAS NOT BEEN NAMED IN A CENTRAL REGISTRY CASE AS THE
13 PERPETRATOR OF CHILD ABUSE OR CHILD NEGLECT. THE AUTOMATED
14 SYSTEM DEVELOPED UNDER THIS SECTION SHALL PROVIDE FOR PUBLIC
15 ACCESS TO THE LIST OF INDIVIDUALS WHO HAVE BEEN SCREENED FOR THE
16 PURPOSES OF COMPLYING WITH THIS SECTION. AN AUTOMATED SYSTEM
17 DEVELOPED UNDER THIS SECTION SHALL HAVE APPROPRIATE SAFEGUARDS
18 AND PROCEDURES TO ENSURE THAT INFORMATION THAT IS CONFIDENTIAL
19 UNDER THIS ACT, STATE LAW, OR FEDERAL LAW IS NOT ACCESSIBLE OR
20 DISCLOSED THROUGH THAT SYSTEM.

21 (4) FOR THE PURPOSES OF THIS SECTION OR SECTION 7(2)(K) OR
22 (l), A CASE INVESTIGATED BEFORE JULY 1, 1999 AND ENTERED IN THE
23 CENTRAL REGISTRY IS CONSIDERED A CENTRAL REGISTRY CASE IF THAT
24 CASE MEETS THE CRITERIA UNDER SECTION 8(3)(A), (B), OR (C).

25 (5) AS USED IN THIS SECTION, "CHILD CARE CENTER", "CHILD
26 CARING INSTITUTION", AND "CHILD PLACING AGENCY" MEAN THOSE TERMS
27 AS DEFINED IN SECTION 1 OF 1973 PA 116, MCL 722.111.