

# HOUSE BILL No. 5372

November 1, 2001, Introduced by Reps. Middaugh, Vander Veen, Hart, Hager, Cassis, Shackleton, Birkholz, Jelinek, Tabor, Rison, Toy, Stewart, Lipsey, Garza, Voorhees, Patterson, Richardville and Lemmons and referred to the Committee on Family and Children Services.

A bill to amend 1975 PA 238, entitled  
"Child protection law,"  
by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623,  
722.627, and 722.628a), sections 2 and 7 as amended by 2000  
PA 45, section 3 as amended by 1994 PA 177, and section 8a as  
added by 1992 PA 39.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2. As used in this act:

2       (A) "ADULT FOSTER CARE LOCATION AUTHORIZED TO CARE FOR A  
3 CHILD" MEANS AN ADULT FOSTER CARE FAMILY HOME OR ADULT FOSTER  
4 CARE SMALL GROUP HOME AS DEFINED IN SECTION 3 OF THE ADULT FOSTER  
5 CARE FACILITY LICENSING ACT, 1979 PA 218, MCL 400.703, IN WHICH A  
6 CHILD IS PLACED IN ACCORDANCE WITH SECTION 5 OF 1973 PA 116, MCL  
7 722.115.

1 (B) ~~-(a)-~~ "Attorney" means, if appointed to represent a  
2 child under the provisions referenced in section 10, an attorney  
3 serving as the child's legal advocate in the manner defined and  
4 described in section 13a of chapter XIIIA of the probate code of  
5 1939, 1939 PA 288, MCL 712A.13a.

6 (C) ~~-(b)-~~ "Central registry" means the system maintained at  
7 the department that is used to keep a record of all reports filed  
8 with the department ~~pursuant to~~ UNDER this act in which rele-  
9 vant and accurate evidence of child abuse or neglect is found to  
10 exist.

11 (D) ~~-(c)-~~ "Central registry case" means a child protective  
12 services case that the department classifies under sections 8 and  
13 8d as category I or category II. For a child protective services  
14 case that was investigated before July 1, 1999, central registry  
15 case means an allegation of child abuse or neglect that the  
16 department substantiated.

17 (E) ~~-(d)-~~ "Child" means a person under 18 years of age.

18 (F) ~~-(e)-~~ "Child abuse" means harm or threatened harm to a  
19 child's health or welfare by a parent, a legal guardian, or any  
20 other person responsible for the child's health or welfare, or by  
21 a teacher or teacher's aide, that occurs through nonaccidental  
22 physical or mental injury; sexual abuse; sexual exploitation; or  
23 maltreatment.

24 (G) "CHILD CARE ORGANIZATION" MEANS THAT TERM AS DEFINED IN  
25 SECTION 1 OF 1973 PA 116, MCL 722.111.

1 (H) "CHILD CARE PROVIDER" MEANS AN OWNER, OPERATOR,  
 2 EMPLOYEE, OR VOLUNTEER OF A CHILD CARE ORGANIZATION OR OF AN  
 3 ADULT FOSTER CARE LOCATION AUTHORIZED TO CARE FOR A CHILD.

4 (I) "CHILD CARE REGULATORY AGENCY" MEANS THE DEPARTMENT OF  
 5 CONSUMER AND INDUSTRY SERVICES OR A SUCCESSOR STATE DEPARTMENT  
 6 THAT IS RESPONSIBLE FOR THE LICENSING OR REGISTRATION OF CHILD  
 7 CARE ORGANIZATIONS OR THE LICENSING OF ADULT FOSTER CARE LOCA-  
 8 TIONS AUTHORIZED TO CARE FOR A CHILD.

9 (J) ~~(f)~~ "Child neglect" means harm or threatened harm to a  
 10 child's health or welfare by a parent, legal guardian, or any  
 11 other person responsible for the child's health or welfare that  
 12 occurs through either of the following:

13 (i) Negligent treatment, including the failure to provide  
 14 adequate food, clothing, shelter, or medical care.

15 (ii) Placing a child at an unreasonable risk to the child's  
 16 health or welfare by failure of the parent, legal guardian, or  
 17 other person responsible for the child's health or welfare to  
 18 intervene to eliminate that risk when that person is able to do  
 19 so and has, or should have, knowledge of the risk.

20 (K) ~~(g)~~ "Citizen review panel" means a panel established  
 21 as required by section 106 of title I of the child abuse preven-  
 22 tion and treatment act, Public Law 93-247, 42 U.S.C. 5106a.

23 (L) ~~(h)~~ "Controlled substance" means that term as defined  
 24 in section 7104 of the public health code, 1978 PA 368, MCL  
 25 333.7104.

26 (M) ~~(i)~~ "CPSI system" means the child protective service  
 27 information system, which is an internal data system maintained

1 within and by the department, and which is separate from the  
2 central registry and not subject to section 7.

3 (N) ~~-(j)-~~ "Department" means the family independence  
4 agency.

5 (O) ~~-(k)-~~ "Director" means the director of the department.

6 (P) ~~-(l)-~~ "Expunge" means to physically remove or eliminate  
7 and destroy a record or report.

8 (Q) ~~-(m)-~~ "Lawyer-guardian ad litem" means an attorney  
9 appointed under section 10 who has the powers and duties refer-  
10 enced by section 10.

11 (R) ~~-(n)-~~ "Local office file" means the system used to keep  
12 a record of a written report, document, or photograph filed with  
13 and maintained by a county or a regionally based office of the  
14 department.

15 (S) ~~-(o)-~~ "Nonparent adult" means a person who is 18 years  
16 of age or older and who, regardless of the person's domicile,  
17 meets all of the following criteria in relation to a child:

18 (i) Has substantial and regular contact with the child.

19 (ii) Has a close personal relationship with the child's  
20 parent or with a person responsible for the child's health or  
21 welfare.

22 (iii) Is not the child's parent or a person otherwise  
23 related to the child by blood or affinity to the third degree.

24 (T) ~~-(p)-~~ "Person responsible for the child's health or  
25 welfare" means a parent, legal guardian, person 18 years of age  
26 or older who resides for any length of time in the same home in  
27 which the child resides, or, except when used in section 7(2)(e)

1 or 8(8), nonparent adult; or an owner, operator, volunteer, or  
2 employee of 1 or more of the following:

3 (i) A licensed or ~~unlicensed~~ REGISTERED child care  
4 organization. ~~as defined in section 1 of 1973 PA 116, MCL~~  
5 ~~722.111.~~

6 (ii) A licensed or unlicensed adult foster care family home  
7 or adult foster care small group home as defined in section 3 of  
8 the adult foster care facility licensing act, 1979 PA 218, MCL  
9 400.703.

10 (U) ~~(q)~~ "Relevant evidence" means evidence having a ten-  
11 dency to make the existence of a fact that is at issue more prob-  
12 able than it would be without the evidence.

13 (V) ~~(r)~~ "Sexual abuse" means engaging in sexual contact or  
14 sexual penetration as those terms are defined in section 520a of  
15 the Michigan penal code, 1931 PA 328, MCL 750.520a, with a  
16 child.

17 (W) ~~(s)~~ "Sexual exploitation" includes allowing, permit-  
18 ting, or encouraging a child to engage in prostitution, or allow-  
19 ing, permitting, encouraging, or engaging in the photographing,  
20 filming, or depicting of a child engaged in a listed sexual act  
21 as defined in section 145c of the Michigan penal code, 1931 PA  
22 328, MCL 750.145c.

23 (X) ~~(t)~~ "Specified information" means information in a  
24 central registry case record that relates specifically to refer-  
25 rals or reports of child abuse or neglect. Specified information  
26 does not include any of the following:

1        (i) Except as provided in this subparagraph regarding a  
2 perpetrator of child abuse or neglect, personal identification  
3 information for any individual identified in a child protective  
4 services record. The exclusion of personal identification infor-  
5 mation as specified information prescribed by this subparagraph  
6 does not include personal identification information identifying  
7 an individual alleged to have perpetrated child abuse or neglect,  
8 which allegation has been classified as a central registry case.

9        (ii) Information in a law enforcement report as provided in  
10 section 7(8).

11        (iii) Any other information that is specifically designated  
12 as confidential under other law.

13        (Y) ~~-(u)-~~ "Structured decision-making tool" means the  
14 department document labeled "DSS-4752 (P3) (3-95)" or a revision  
15 of that document that better measures the risk of future harm to  
16 a child.

17        (Z) ~~-(v)-~~ "Substantiated" means a child protective services  
18 case classified as a central registry case.

19        (AA) ~~-(w)-~~ "Unsubstantiated" means a child protective serv-  
20 ices case the department classifies under sections 8 and 8d as  
21 category III, category IV, or category V.

22        Sec. 3. (1) A physician, ~~coroner,~~ dentist, registered  
23 dental hygienist, medical examiner, nurse, ~~a~~ person licensed to  
24 provide emergency medical care, audiologist, psychologist, mar-  
25 riage and family therapist, licensed professional counselor, cer-  
26 tified social worker, social worker, social work technician,  
27 school administrator, school counselor or teacher, law

1 enforcement officer, or regulated child care provider who has  
2 reasonable cause to suspect child abuse or neglect shall make  
3 immediately, by telephone or otherwise, an oral report, or cause  
4 an oral report to be made, of the suspected child abuse or  
5 neglect to the department. Within 72 hours after making the oral  
6 report, the reporting person shall file a written report as  
7 required in this act. If the reporting person is a member of the  
8 staff of a hospital, agency, or school, the reporting person  
9 shall notify the person in charge of the hospital, agency, or  
10 school of his or her finding and that the report has been made,  
11 and shall make a copy of the written report available to the  
12 person in charge. One report from a hospital, agency, or school  
13 shall be considered adequate to meet the reporting requirement.  
14 A member of the staff of a hospital, agency, or school shall not  
15 be dismissed or otherwise penalized for making a report required  
16 by this act or for cooperating in an investigation.

17       (2) The written report shall contain the name of the child  
18 and a description of the abuse or neglect. If possible, the  
19 report shall contain the names and addresses of the child's par-  
20 ents, the child's guardian, the persons with whom the child  
21 resides, and the child's age. The report shall contain other  
22 information available to the reporting person ~~which~~ THAT might  
23 establish the cause of the abuse or neglect, and the manner in  
24 which the abuse or neglect occurred.

25       (3) The department shall inform the reporting person of the  
26 required contents of the written report at the time the oral  
27 report is made by the reporting person.

1 (4) The written report required in this section shall be  
2 mailed or otherwise transmitted to the county ~~department of~~  
3 ~~social services~~ FAMILY INDEPENDENCE AGENCY of the county in  
4 which the child suspected of being abused or neglected is found.

5 (5) Upon receipt of a written report of suspected child  
6 abuse or neglect, the department may provide copies to the prose-  
7 cuting attorney and the probate court of the counties in which  
8 the child suspected of being abused or neglected resides and is  
9 found.

10 (6) If the report or subsequent investigation indicates a  
11 violation of sections 136b and 145c or sections 520b to 520g of  
12 the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
13 ~~being sections 750.136b, 750.145c and 750.520b to 750.520g of the~~  
14 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.136B, 750.145C, AND  
15 750.520B TO 750.520G, or if the report or subsequent investiga-  
16 tion indicates that the suspected abuse was not committed by a  
17 person responsible for the child's health or welfare, and the  
18 department believes that the report has basis in fact, the  
19 department shall transmit a copy of the written report and the  
20 results of any investigation to the prosecuting attorney of the  
21 counties in which the child resides and is found. IF A WRITTEN  
22 REPORT OR SUBSEQUENT INVESTIGATION INDICATES THAT THE INDIVIDUAL  
23 WHO COMMITTED THE ABUSE OR NEGLECT IS A CHILD CARE PROVIDER AND  
24 THE DEPARTMENT BELIEVES THAT THE REPORT HAS BASIS IN FACT, THE  
25 DEPARTMENT SHALL TRANSMIT A COPY OF THE WRITTEN REPORT OR THE  
26 RESULTS OF THE INVESTIGATION TO THE CHILD CARE REGULATORY AGENCY  
27 WITH AUTHORITY OVER THE CHILD CARE PROVIDER'S CHILD CARE



1 ORGANIZATION OR ADULT FOSTER CARE LOCATION AUTHORIZED TO CARE FOR  
2 A CHILD.

3       (7) If a local law enforcement agency receives a written  
4 report of suspected child abuse or neglect, whether from the  
5 reporting person or the department, the report or subsequent  
6 investigation indicates that the abuse or neglect was committed  
7 by a person responsible for the child's health or welfare, and  
8 the local law enforcement agency believes that the report has  
9 basis in fact, the local law enforcement agency shall provide a  
10 copy of the written report and the results of any investigation  
11 to the county ~~department of social services~~ FAMILY INDEPENDENCE  
12 AGENCY of the county in which the abused or neglected child is  
13 found. IF A WRITTEN REPORT OR SUBSEQUENT INVESTIGATION INDICATES  
14 THAT THE INDIVIDUAL WHO COMMITTED THE ABUSE OR NEGLECT IS A CHILD  
15 CARE PROVIDER AND THE LOCAL LAW ENFORCEMENT AGENCY BELIEVES THAT  
16 THE REPORT HAS BASIS IN FACT, THE LOCAL LAW ENFORCEMENT AGENCY  
17 SHALL TRANSMIT A COPY OF THE WRITTEN REPORT OR THE RESULTS OF THE  
18 INVESTIGATION TO THE CHILD CARE REGULATORY AGENCY WITH AUTHORITY  
19 OVER THE CHILD CARE PROVIDER'S CHILD CARE ORGANIZATION OR ADULT  
20 FOSTER CARE LOCATION AUTHORIZED TO CARE FOR A CHILD. Nothing in  
21 this subsection or subsection (6) shall be construed to relieve  
22 the department of its responsibility to investigate reports of  
23 suspected child abuse or neglect under this act.

24       (8) For purposes of this act, the pregnancy of a child less  
25 than 12 years of age or the presence of a venereal disease in a  
26 child who is over 1 month of age but less than 12 years of age

1 ~~shall be~~ IS reasonable cause to suspect child abuse and neglect  
2 have occurred.

3       Sec. 7. (1) The department shall maintain a statewide,  
4 electronic central registry to carry out the intent of this act.

5       (2) Unless made public as specified information released  
6 under section 7d, a written report, document, or photograph filed  
7 with the department as provided in this act is a confidential  
8 record available only to 1 or more of the following:

9       (a) A legally mandated public or private child protective  
10 agency investigating a report of known or suspected child abuse  
11 or neglect.

12       (b) A police or other law enforcement agency investigating a  
13 report of known or suspected child abuse or neglect.

14       (c) A physician who is treating a child whom the physician  
15 reasonably suspects may be abused or neglected.

16       (d) A person legally authorized to place a child in protec-  
17 tive custody when the person is confronted with a child whom the  
18 person reasonably suspects may be abused or neglected and the  
19 confidential record is necessary to determine whether to place  
20 the child in protective custody.

21       (e) A person, agency, or organization, including a multidis-  
22 ciplinary case consultation team, authorized to diagnose, care  
23 for, treat, or supervise a child or family who is the subject of  
24 a report or record under this act, or who is responsible for the  
25 child's health or welfare.

26       (f) A person named in the report or record as a perpetrator  
27 or alleged perpetrator of the child abuse or neglect or a victim

1 who is an adult at the time of the request, if the identity of  
2 the reporting person is protected as provided in section 5.

3 (g) A court that determines the information is necessary to  
4 decide an issue before the court.

5 (h) A grand jury that determines the information is neces-  
6 sary in the conduct of the grand jury's official business.

7 (i) A person, agency, or organization engaged in a bona fide  
8 research or evaluation project. The person, agency, or organiza-  
9 tion shall not release information identifying a person named in  
10 the report or record unless that person's written consent is  
11 obtained. The person, agency, or organization shall not conduct  
12 a personal interview with a family without the family's prior  
13 consent and shall not disclose information that would identify  
14 the child or the child's family or other identifying  
15 information. The department director may authorize the release  
16 of information to a person, agency, or organization described in  
17 this subdivision if the release contributes to the purposes of  
18 this act and the person, agency, or organization has appropriate  
19 controls to maintain the confidentiality of personally identify-  
20 ing information for a person named in a report or record made  
21 under this act.

22 (j) A lawyer-guardian ad litem or other attorney appointed  
23 as provided by section 10.

24 (k) A child placing agency licensed under 1973 PA 116, MCL  
25 722.111 to 722.128, for the purpose of investigating an applicant  
26 for adoption, a foster care applicant or licensee or an employee  
27 of a foster care applicant or licensee, an adult member of an

1 applicant's or licensee's household, or other persons in a foster  
2 care or adoptive home who are directly responsible for the care  
3 and welfare of children, to determine suitability of a home for  
4 adoption or foster care. The child placing agency shall disclose  
5 the information to a foster care applicant or licensee under 1973  
6 PA 116, MCL 722.111 to 722.128, or to an applicant for adoption.

7       (1) Juvenile court staff authorized by the court to investi-  
8 gate foster care applicants and licensees, employees of foster  
9 care applicants and licensees, adult members of the applicant's  
10 or licensee's household, and other persons in the home who are  
11 directly responsible for the care and welfare of children, for  
12 the purpose of determining the suitability of the home for foster  
13 care. The court shall disclose this information to the applicant  
14 or licensee.

15       (m) Subject to section 7a, a standing or select committee or  
16 appropriations subcommittee of either house of the legislature  
17 having jurisdiction over protective services matters for  
18 children.

19       (n) The children's ombudsman appointed under the children's  
20 ombudsman act, 1994 PA 204, MCL 722.921 to 722.935.

21       (o) A child fatality review team established under section  
22 7b and authorized under that section to investigate and review a  
23 child death.

24       (p) A county medical examiner or deputy county medical  
25 examiner appointed under 1953 PA 181, MCL 52.201 to 52.216, for  
26 the purpose of carrying out his or her duties under that act.

1 (q) A citizen review panel established by the department.  
2 Access under this subdivision shall be limited to information the  
3 department determines is necessary for the panel to carry out its  
4 prescribed duties.

5 (R) A CHILD CARE REGULATORY AGENCY.

6 (3) Subject to subsection (9), a person or entity to whom  
7 information described in subsection (2) is disclosed shall make  
8 the information available only to a person or entity described in  
9 subsection (2). This subsection does not require a court pro-  
10 ceeding to be closed that otherwise would be open to the public.

11 (4) If the department classifies a report of suspected child  
12 abuse or neglect as a central registry case, the department shall  
13 maintain a record in the central registry and, within 30 days  
14 after the classification, shall notify in writing each individual  
15 who is named in the record as a perpetrator of the child abuse or  
16 neglect. The notice shall set forth the individual's right to  
17 request expunction of the record and the right to a hearing if  
18 the department refuses the request. The notice shall state that  
19 the record may be released under section 7d. The notice shall  
20 not identify the person reporting the suspected child abuse or  
21 neglect.

22 (5) A person who is the subject of a report or record made  
23 under this act may request the department to amend an inaccurate  
24 report or record from the central registry and local office  
25 file. A person who is the subject of a report or record made  
26 under this act may request the department to expunge from the  
27 central registry a report or record in which no relevant and

1 accurate evidence of abuse or neglect is found to exist. A  
2 report or record filed in a local office file is not subject to  
3 expunction except as the department authorizes, when considered  
4 in the best interest of the child.

5       (6) If the department refuses a request for amendment or  
6 expunction under subsection (5), or fails to act within 30 days  
7 after receiving the request, the department shall hold a hearing  
8 to determine by a preponderance of the evidence whether the  
9 report or record in whole or in part should be amended or  
10 expunged from the central registry on the grounds that the report  
11 or record is not relevant or accurate evidence of abuse or  
12 neglect. The hearing shall be before a hearing officer appointed  
13 by the department and shall be conducted as prescribed by the  
14 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
15 24.328.

16       (7) If the investigation of a report conducted under this  
17 act fails to disclose evidence of abuse or neglect, the informa-  
18 tion identifying the subject of the report shall be expunged from  
19 the central registry. If evidence of abuse or neglect exists,  
20 the department shall maintain the information in the central reg-  
21 istry until the department receives reliable information that the  
22 perpetrator of the abuse or neglect is dead.

23       (8) In releasing information under this act, the department  
24 shall not include a report compiled by a police agency or other  
25 law enforcement agency related to an ongoing investigation of  
26 suspected child abuse or neglect. This subsection does not

1 prevent the department from releasing reports of convictions of  
2 crimes related to child abuse or neglect.

3       (9) A member or staff member of a citizen review panel shall  
4 not disclose identifying information about a specific child pro-  
5 tection case to an individual, partnership, corporation, associa-  
6 tion, governmental entity, or other legal entity. A member or  
7 staff member of a citizen review panel is a member of a board,  
8 council, commission, or statutorily created task force of a gov-  
9 ernmental agency for the purposes of section 7 of 1964 PA 170,  
10 MCL 691.1407. Information obtained by a citizen review panel is  
11 not subject to the freedom of information act, 1976 PA 442, MCL  
12 15.231 to 15.246.

13       Sec. 8a. (1) If an individual is bound over to circuit  
14 court for any of the following crimes, the prosecuting attorney  
15 shall execute the notices as prescribed by subsections (2) to  
16 (5):

17       (a) Criminal sexual conduct in the first, second, or third  
18 degree in violation of section 520b, 520c, or 520d of the  
19 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~  
20 ~~being sections 750.520b, 750.520c, and 750.520d of the Michigan~~  
21 ~~Compiled Laws~~ 1931 PA 328, MCL 750.520B, 750.520C, AND  
22 750.520D.

23       (b) Assault with intent to commit criminal sexual conduct in  
24 violation of section 520g of ~~Act No. 328 of the Public Acts of~~  
25 ~~1931, being section 750.520g of the Michigan Compiled Laws~~ THE  
26 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520G.

1 (c) A felonious attempt or a felonious conspiracy to commit  
2 criminal sexual conduct.

3 (d) An assault on a child that is punishable as a felony.

4 (e) Child abuse in the first, second, or third degree, in  
5 violation of section 136b of ~~Act No. 328 of the Public Acts of~~  
6 ~~1931, being section 750.136b of the Michigan Compiled Laws~~ THE  
7 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.136B.

8 (f) Involvement in child sexually abusive material or child  
9 sexually abusive activity in violation of section 145c of ~~Act~~  
10 ~~No. 328 of the Public Acts of 1931, being section 750.145c of the~~  
11 ~~Michigan Compiled Laws~~ THE MICHIGAN PENAL CODE, 1931 PA 328, MCL  
12 750.145C.

13 (2) If the individual is an employee of a nonpublic school  
14 as defined in section 5 of the REVISED school code, ~~of 1976, Act~~  
15 ~~No. 451 of the Public Acts of 1976, being section 380.5 of the~~  
16 ~~Michigan Compiled Laws~~ 1976 PA 451, MCL 380.5, the prosecuting  
17 attorney shall notify the governing body of the nonpublic  
18 school.

19 (3) If the individual is an employee of a school district or  
20 intermediate school district, the prosecuting attorney shall  
21 notify the superintendent of the school district or intermediate  
22 school district.

23 (4) If the individual is an employee of the department who  
24 provides a service to children and youth as described in  
25 section 115 of the social welfare act, ~~Act No. 280 of the Public~~  
26 ~~Acts of 1939, being section 400.115 of the Michigan Compiled~~  
27 ~~Laws~~ 1939 PA 280, MCL 400.115, the prosecuting attorney shall



1 notify the county director of social services or the  
2 superintendent of the training school.

3       (5) If the individual is ~~an employee of~~ a child care  
4 ~~organization as defined in section 1 of Act No. 116 of the~~  
5 ~~Public Acts of 1973, being section 722.111 of the Michigan~~  
6 ~~Compiled Laws~~ PROVIDER, the prosecuting attorney shall notify  
7 the department, ~~and~~ the owner or operator of ~~that~~ THE CHILD  
8 CARE PROVIDER'S child care organization OR ADULT FOSTER CARE  
9 LOCATION AUTHORIZED TO CARE FOR A CHILD, AND THE CHILD CARE REGU-  
10 LATORY AGENCY WITH AUTHORITY OVER THAT CHILD CARE ORGANIZATION OR  
11 ADULT FOSTER CARE LOCATION AUTHORIZED TO CARE FOR A CHILD.

12       (6) Upon final disposition of a criminal matter for which a  
13 notice was given under subsections (2) to (5), the prosecuting  
14 attorney shall notify each person previously notified under sub-  
15 sections (2) to (5) of that disposition.

16       (7) A person who is notified or otherwise receives informa-  
17 tion under this section shall keep the information received con-  
18 fidential except so far as disclosure is necessary to take appro-  
19 priate action in response to the information.