



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

**BILL ANALYSIS**

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

House Bill 5589 (Substitute H-1 as reported by the Committee of the Whole)
Sponsor: Representative Fulton Sheen
House Committee: Family and Children Services
Senate Committee: Judiciary

CONTENT

The bill would amend the Child Protection Law (CPL) to require a Family Independence Agency (FIA) investigator to identify himself or herself to certain individuals in the course of a child abuse or neglect investigation. The FIA investigator also would have to inform those individuals of the complaints or allegations made against them. The bill would require the FIA to ensure that its policies, procedures, and administrative rules ensured compliance with the CPL. All FIA employees involved in investigating child abuse or neglect cases would have to be trained in their legal duties to protect the constitutional and statutory rights of children and families, including instruction in the Fourth Amendment to the U.S. Constitution and parental rights, from the initial contact through the provision of services.

The CPL requires the FIA, within 24 hours after receiving a report of suspected child abuse or neglect, to begin an investigation or, in some cases, refer the report to the prosecuting attorney.

Under the bill, in the course of a child abuse or neglect investigation, at the time an FIA investigator contacted an individual about whom a report had been made or contacted an individual responsible for the health and welfare of a child about whom a report had been made, the FIA investigator would have to advise that individual of all of the following:

- The FIA investigator's name.
- Whom the investigator represented.
- The specific complaints or allegations made against the individual.

MCL 722.628

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the State. Training department employees in their "legal duties" could increase administrative costs.

Date Completed: 5-25-04

Fiscal Analyst: Constance Cole