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BILL ANALYSIS

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House Bill 5930 (as passed by the House)
Sponsor: Representative Tonya Schuitmaker
House Committee: Family and Children Services
Senate Committee: Families and Human Services

Date Completed: 5-8-06

CONTENT

The bill would amend the Child Protection Law to require the Department of Human Services (DHS) to have a child examined by a physician without a court order if the child were suspected of being exposed to methamphetamine production.

The Child Protection Law (CPL) requires certain professionals (including physicians, nurses, medical examiners, psychologists, social workers, teachers, members of the clergy, and regulated child care providers) to report to the DHS if they have reasonable cause to suspect child abuse or neglect. The DHS and law enforcement agencies are subject to reporting and investigation requirements under the Law.

Under the CPL, when a child suspected of being abused or neglected is seen by a physician, the physician must make the necessary examinations of the child and summarize the results in the physician's written report to the DHS. If the report is incomplete or if a report is made by someone other than a physician, the DHS may request a court order for a medical evaluation of the child. The Law requires the DHS to have a medical evaluation made without a court order if the child's health is seriously endangered and a court order cannot be obtained.

The bill also would require the DHS to have a medical evaluation made if the child were displaying symptoms suspected to be the result of exposure to or contact with methamphetamine production. Those symptoms would include respiratory distress or breathing difficulty; red, watering, or burning eyes; chemical or fire burn; altered gait, staggering, or falling; or slurred speech.

MCL 722.626

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would lead to an indeterminate increased cost for State government. The requirement would increase the number of children subject to physical examinations under the protective services program. In the majority of cases, the child would receive a Medicaid (Medical Services) card and the cost would be directly billed to Medicaid. The State is responsible for about 43% of Medicaid costs.

Fiscal Analyst: Constance Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.