

SUBSTITUTE FOR

SENATE BILL NO. 1253

(As amended December 14, 2006)

A bill to amend 1973 PA 116, entitled

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

(MCL 722.111 to 722.128) by adding sections 3f and 5h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3F. (1) EXCEPT AS PROVIDED IN SUBSECTION [(6)], WITHIN 24
2 HOURS AFTER A CHILD CARE ORGANIZATION RECEIVES NOTICE THAT A
3 SPECIAL INVESTIGATION THAT THE DEPARTMENT CLASSIFIES AS HIGH RISK
4 IS BEING CONDUCTED, THE CHILD CARE ORGANIZATION SHALL MAKE A GOOD
5 FAITH EFFORT TO MAKE ORAL NOTIFICATION TO EACH PARENT OR LEGAL
6 GUARDIAN OF [1 OR MORE OF THE FOLLOWING:

Senate Bill No. 1253 (S-2) as amended December 14, 2006

1 (A) CHILDREN WHO WERE UNDER THE CHILD CARE ORGANIZATION'S CARE AT
2 THE SITE AND THE TIME THE INCIDENT BEING INVESTIGATED OCCURRED.

3 (B) IF THE INDIVIDUAL BEING INVESTIGATED IS STILL PRESENT AT THE
4 CHILD CARE ORGANIZATION AT THE TIME OF THE INVESTIGATION, CHILDREN WHO
5 HAVE OR WILL COME INTO CONTACT WITH THE INDIVIDUAL BEING INVESTIGATED AS
6 LONG AS THAT INDIVIDUAL IS PRESENT AT THE CHILD CARE ORGANIZATION.

7 (2) THE CHILD CARE ORGANIZATION SHALL SEND WRITTEN NOTIFICATION
8 WITHIN 1 BUSINESS DAY AFTER THE INITIAL GOOD FAITH ATTEMPT UNDER
9 SUBSECTION (1) AT ORAL NOTIFICATION. FOR THE PURPOSE OF THIS SUBSECTION,
10 WRITTEN NOTIFICATION SHALL BE GIVEN BY 1 OF THE FOLLOWING:

11 (A) MAIL SERVICE.

12 (B) FACSIMILE TRANSMISSION.

13 (C) ELECTRONIC MAIL.

14 (3) IF THE DEPARTMENT DETERMINES THAT A CHILD CARE
15 ORGANIZATION IS NOT COMPLYING WITH EITHER NOTIFICATION REQUIREMENT
16 IN SUBSECTION (1) [OR (2)], THE DEPARTMENT MAY SUSPEND THE CHILD CARE
17 ORGANIZATION'S LICENSE ISSUED UNDER THIS ACT PENDING REVIEW.

18 [(4)] IF, UPON COMPLETION OF THE SPECIAL INVESTIGATION DESCRIBED
19 IN SUBSECTION (1), THE DEPARTMENT MAKES A DETERMINATION THAT THERE
20 ARE NO SUBSTANTIATED RULE VIOLATIONS, THE DEPARTMENT SHALL PROVIDE
21 THE CHILD CARE ORGANIZATION WITH WRITTEN NOTIFICATION OF THAT
22 DETERMINATION THAT THE CHILD CARE ORGANIZATION MAY SHARE WITH THE
23 PARENTS OR LEGAL GUARDIANS OF THE CHILDREN IN THE CHILD CARE
24 ORGANIZATION'S CARE WHO RECEIVED THE NOTIFICATION REQUIRED UNDER
25 [SUBSECTIONS (1) AND (2)].

26 [(5)] THE DEPARTMENT SHALL MAKE THE INFORMATION PROVIDED IN
27 SUBSECTION [(4)] AVAILABLE TO THE PUBLIC ON THE DEPARTMENT WEBSITE.

