

Legislative Analysis



NOTIFICATION BY DHS TO CHILDREN'S OMBUDSMAN REGARDING DEATH OF CERTAIN CHILDREN

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House Bill 4125

Sponsor: Rep. Dudley Spade

Committee: Families and Children's Services

Complete to 3-3-09

A SUMMARY OF HOUSE BILL 4125 AS INTRODUCED 1-27-09

The bill would amend the Child Protection Law to require the Department of Human Services to notify the Children's Ombudsman about the death of a child who is under the jurisdiction of the Family Division of Circuit Court under Section 2(b) of Chapter XIIA of the Probate Code.

That section of the Probate Code gives jurisdiction, generally speaking, to the court for the following juveniles under 18 years of age:

-- When the person legally responsible for the care and maintenance of the juvenile neglects or refused to provide proper or necessary support, education, medical, surgical, or other care; who is subject to a substantial risk of harm to his or her mental well-being; who is abandoned by his or her parents, guardian, or other custodian; or who is without proper custody or guardianship.

-- Whose home or environment is an unfit place to live, by reason of neglect, cruelty, drunkenness, criminality, or depravity on the part of a parent or guardian, etc.

-- Whose parent has substantially failed, without good cause, to comply with a court-structured plan regarding the juvenile under the Estates and Protected Individuals Code (EPIC).

-- If the juvenile has a guardian under EPIC and the juvenile's parents had failed or neglected to provide regular and substantial support for the juvenile or had regularly and substantially failed or neglected to visit, contact, or communicate with the juvenile.

MCL 722.627k

FISCAL IMPACT:

This bill codifies current DHS practices, so this bill will have no fiscal impact.

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