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BILL ANALYSIS

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House Bill 4118 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Representative Gino Polidori

House Committee: Families and Children's Services

Senate Committee: Families and Human Services

CONTENT

The bill would amend the Foster Care and Adoption Services Act to do the following:

- Require relatives to be notified when a child was removed from his or her home.
- Require special consideration and preference to be given to placement with willing and fit relatives.
- Require an agency's placement decision to be made in the best interests of the child.

The Act requires a supervising agency (the Department of Human Services or a child placing agency) to take certain actions when a child is removed from his or her home under the juvenile code. Under the bill, the agency also would have to notify relatives within 30 days after the child was removed. The notice would have to contain information described in the bill, including an explanation of the relative's options to participate in the child's care and placement.

The bill would require a supervising agency, before determining placement of a child in its care, to give special consideration and preference to a child's relative or relatives who were willing to care for the child, were fit to do so, and would meet the child's development, emotional, and physical needs. The agency's placement would have to be made in the best interests of the child.

MCL 722.954a

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would largely codify existing Department of Human Services (DHS) policy regarding relative placements in the Foster Care and Adoption Services Act. To that extent, the bill would have little fiscal impact as the DHS is already looking closely at placing children with relatives whenever a suitable relative placement exists.

Date Completed: 12-1-10

Fiscal Analyst: Kathryn Summers