

Legislative Analysis



NOTIFICATION OF CHILD'S DEATH

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House Bill 4385

Sponsor: Rep. Thomas Hooker

Committee: Families, Children, and Seniors

Complete to 5-6-11

A SUMMARY OF HOUSE BILL 4385 AS INTRODUCED 3-3-11

House Bill 4385 would amend the Child Protection Law to require the Department of Human Services, if a child died while under the court's jurisdiction in a suspected child abuse or neglect case, to provide written notification to the court with jurisdiction over the child, the state legislators representing the district in which the court was located, and the Children's Ombudsman. Notification would have to be made not later than one business day after the death.

(Section 2(b) of the Juvenile Code grants the Family Division of Circuit Court custody of a child in cases of suspected child abuse or neglect.)

In addition, the department would have to notify the Ombudsman within one business day when a child died and any of the following applied:

- The child died during an active Child Protective Services investigation or an open CPS case.
- The department received a prior CPS complaint concerning the child's caretaker.
- The death could have resulted from child abuse or neglect.

FISCAL IMPACT:

The bill would have no fiscal impact on state and local government.

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