



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5338 (Substitute H-3 as passed by the House)
Sponsor: Representative Peter MacGregor
House Committee: Families, Children, and Seniors
Senate Committee: Families, Seniors and Human Services

Date Completed: 11-12-14

CONTENT

The bill would amend the Child Protection Law to prohibit the disclosure of certain records authored by or obtained from an agency other than the Department of Human Services (DHS) and related to child abuse or neglect cases.

The Child Protection Law requires the DHS to maintain a statewide, electronic central registry of all reports filed with the Department in which relevant and accurate evidence of child abuse or neglect is found to exist. A written report, document, or photograph filed with the DHS under the Law is a confidential record available only to certain people or entities.

The bill specifies that documents, reports, or records authored by or obtained from another agency or organization could not be released or open for inspection to the people or entities entitled to confidential information in the central registry unless required by other State or Federal law; in response to an order issued by a judge, magistrate, or other authorized judicial officer; or unless the documents, reports, or records were requested for a child abuse or child neglect case or for a criminal investigation of child abuse or child neglect conducted by law enforcement.

MCL 722.627

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill could result in a minor fiscal impact on the Department of Human Services, and would not likely affect local units of government.

The changes in the bill could reduce some of the workload for some DHS local office workers, possibly reducing the amount of staff time that is required to compile the record requests. The DHS already charges for copying and postage of the records.

Fiscal Analyst: Frances Carley

S1314\5338sa

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.