

# Legislative Analysis

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## **FOSTER CHILD IDENTIFICATION THEFT PROTECTION ACT**

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4022 as enacted**

**Public Act 285 of 2016**

**Sponsor: Rep. Robert Kosowski**

**House Committee: Families, Children, and Seniors**

**Senate Committee: Families, Seniors and Human Services**

Analysis available at  
<http://www.legislature.mi.gov>

**Complete to 2-1-18**

### **SUMMARY:**

House Bill 4022 creates a new act, entitled the Foster Child Identification Theft Protection Act, to require the Department of Human Services to monitor credit-related activity carried out in the name of a foster child.

Under Public Act 285 of 2016, the department must request annually a credit report from at least one consumer reporting agency for each child between the ages of 14 and 18 who is placed under the department's care or supervision for foster care. If a requested credit report indicates the appearance of fraudulent activity in the foster child's name, the department must work with the child and the consumer reporting agency to address and remove fraudulent activity from the child's credit report. Subject to federal and state confidentiality laws, the department may report the fraudulent activity to a law enforcement agency for investigation.

The department also must assist a youth 18 years of age or older who is placed under the department's care or supervision in obtaining a copy of his or her credit report. However, he or she may opt out of receiving this assistance, in which case the department must make a notation in the case record regarding that choice.

When a child under 14 years of age leaves foster care, the department must recommend to that child's permanent caregiver that a credit check be performed to look for possible fraudulent activity in his or her credit report.

The department must maintain an electronic record to comply with the provisions of the act, keep documentation of all requests and correspondence regarding the child's credit report, and keep in the foster child's case record a copy of any credit report received regarding the child. The caseworker must periodically discuss the credit report with the foster child and inform him or her of the actions being taken regarding the credit report.

Public Act 285 of 2016 took effect December 26, 2016.

**FISCAL IMPACT:**

House Bill 4022 would have no significant impact on the state of Michigan and no fiscal impact on local units of government.

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