



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 616 (Substitute S-1 as reported)
Sponsor: Senator Judy K. Emmons
Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Child Protection Law to make certain confidential reports or records related to a child who was a member of a tribe available to a tribal entity or tribal social services representative acting on behalf of that child.

The Law requires certain people, such as medical professionals, teachers, and members of the clergy, to report to the Department of Health and Human Services if they have reasonable cause to suspect child abuse or neglect. In addition, any person who has reasonable cause to suspect child abuse or neglect may report to the Department or a law enforcement agency. The Department is required to maintain a statewide electronic central registry to carry out the intent of the Law.

Unless the Department Director releases the information at his or her own initiative or upon written request, a written report, document, or photograph filed with the Department is a confidential record available only to certain individuals and entities.

Under the bill, a confidential written report, confidential document, or confidential photograph also would be available to a tribal representative, agency, or organization, including a multidisciplinary team, authorized by the Indian child's tribe, to care for, diagnose, treat, review, evaluate, or monitor active efforts regarding an Indian child, parent, or Indian custodian.

The term "active efforts" would be defined as it is in the Michigan Indian Family Preservation Act (actions to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and reunify the Indian child with the Indian family).

MCL 722.627

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-2-17

Fiscal Analyst: John Maxwell