

Legislative Analysis



DISCLOSURE OF CHILD FATALITY INFORMATION

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

House Bill 5657 (proposed substitute H-1)
Sponsor: Rep. John Reilly
Committee: Families, Children and Seniors
Complete to 2-7-22

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

SUMMARY:

House Bill 5657 would amend the Child Protection Law to require information obtained by a child fatality review team that concerns the death of a particular child to be disclosed upon request to the child's parent or legal guardian as long as the parent or guardian is not both criminally responsible for child abuse or child neglect that caused the death of the child and serving a sentence of imprisonment in a county, state, or federal correctional facility in Michigan or another state.

Under the act, a county, alone or in conjunction with one or more other counties, may establish a standing child fatality review team to review each child fatality that occurs there.¹ A child fatality review team must include at least all of the following:

- A county medical examiner or deputy county medical examiner.
- A representative of a local law enforcement agency.
- A representative of the Department of Health and Human Services (DHHS).
- The county prosecuting attorney or a designated assistant county prosecutor.
- A representative of a local health department.
- A representative of the local court.

Except for statistical information published by DHHS that does not include personal identifiers, the act provides that information obtained by a child fatality review team is confidential, is not subject to the Freedom of Information Act (FOIA), and may be disclosed by the child fatality review team only to DHHS, the children's ombudsman, the county prosecutor's office, local law enforcement, or another child fatality review team.

The bill would add that information concerning the cause of death of a particular child may be disclosed to an individual who was the child's parent or legal guardian and that the child fatality review team must disclose the information upon the request of that individual. However, a child fatality review team could not release information to a parent or legal guardian who is criminally responsible for child abuse or child neglect that caused the death of the child while that parent or guardian is serving a sentence of imprisonment in a state or county correctional facility in this or another state or in a federal correctional facility.

MCL 722.627b

¹ According to the Michigan Public Health Institute, Michigan has 77 local teams covering all 83 counties. See <https://www.keepingkidsalive.org/about/cdr/> and <https://ncfrp.org/cdr-map/spotlight-michigan/>

FISCAL IMPACT:

The bill would have no significant fiscal impact on DHHS or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.