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BILL ANALYSIS

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House Bill 4880 (as passed by the House)
Sponsor: Representative Roger Hauck
House Committee: Families, Children and Seniors
Senate Committee: Health Policy and Human Services

Date Completed: 3-3-22

CONTENT

The bill would amend the Child Protection Law to include physical therapists, physical therapist assistants, occupational therapists, and athletic trainers as mandated reporters.

The Law requires individuals in various professions or occupations to report to the Department of Health and Human Services (DHHS) if they have reasonable cause to suspect child abuse or child neglect. These individuals, commonly referred to as "mandated reporters", include medical professionals, marriage therapists, licensed counselors, social workers, social service technicians, law enforcement officers, members of the clergy, and regulated child care providers. The bill would include physical therapists, physical therapist assistants, occupational therapists, and athletic trainers in the list of mandated reporters.

(A mandated reporter is required to make an immediate report to centralized intake by telephone or, if available, through the online reporting system. Within 72 hours after making an oral report by telephone, the person must file a written report. If the immediate report is made using the online system, and it includes the information required in a written report, the online report is considered a written report. A written or online report must contain the name of the child and a description of the child abuse or neglect. If possible, the report must include the name of the child's parents, the child's guardian, the people the child lives with, and the child's age. The report also must contain other information available to the reporting person that might establish the cause of the abuse or neglect, and the manner in which it occurred.)

The bill would take effect 90 days after its enactment.

MCL 722.623

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have a negative fiscal impact on the DHHS. Because the bill would require athletic trainers, occupational therapists, physical therapists, and physical therapist assistants to report suspected child abuse or child neglect to Children's Protective Services (CPS) within the DHHS, there could be additional investigations. Children's Protective Services has the authority to investigate allegations of abuse or neglect by a caretaker of a child under the age of 18. If the allegation is made against someone other than a caretaker, then the investigative authority would rest with a law enforcement agency and could increase costs to local

governments. In fiscal year 2019-20, the CPS investigated 70,242 cases of child abuse or neglect. Of the assigned investigations, 71.6%, or 50,293 cases, were reported by a mandatory reporter and 28.4%, or 19,949 cases, were reported by nonmandatory reporters.

Fiscal Analyst: John Maxwell

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