Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 498 (Substitute S-1 reported)
Sponsor: Senator Jeff Irwin
Committee: Housing and Human Services

CONTENT

The bill would amend the juvenile code to do the following:

-- Allow an agency to change a child's placement if a contracted social services agency of a Federally recognized tribal government was providing primary case management.
-- Modify the circumstances under which an agency could change a child's foster care placement if the person providing the care objected to the change.
-- Require an agency to notify an Indian child's tribe and other specified individuals of any proposed changes to an Indian child's placement.
-- Require a foster care review board to invite a child's tribal government to participate in the Indian child's foster care placement change hearing.

MCL 712A.13b

BRIEF RATIONALE

Foster care review boards meet monthly to review cases of children in the State foster care system and assess a child's care, safety, and permanency plan. Under the Indian Child Welfare Act and the Michigan Indian Family Preservation Act, a child's tribe must have an opportunity to be involved in the decisions affecting services for the child. According to testimony before the Senate Committee on Housing and Human Services, certain boards have failed to notify tribal governments in cases involving tribal children and codifying the notification requirements for foster care review boards has been suggested.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. Currently, the Department of Health and Human Services' (DHHS) policy for the placement of Indian foster care children includes a requirement for assistance from an Indian foster child's tribe in making appropriate foster care placements. As the bill would codify current DHHS policy with Federal law and the Michigan Indian Family Preservation Act, there is no fiscal impact.

Date Completed: 2-21-24

Fiscal Analyst: Humphrey Akujobi

Bill Analysis @ www.senate.michigan.gov/sfa