

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.11c Confidentiality of identity of person making report; immunity from civil liability; presumption; extent of immunity; abrogation of privileged communication; exception; sharing of information and records.

Sec. 11c. (1) The identity of a person making a report under section 11a or 11b shall be confidential, subject only to disclosure with the consent of that person or by judicial process. A person acting in good faith who makes a report or who assists in the implementation of sections 11 to 11f is immune from civil liability that might otherwise be incurred by making the report or by assisting in the making of the report. A person making a report or assisting in the implementation of sections 11 to 11f is presumed to have acted in good faith. The immunity from civil liability extends only to an act performed under sections 11 to 11f and does not extend to a negligent act that causes personal injury or death.

(2) Any legally recognized privileged communication, except that between attorney and client and except as specified in section 11a(2), is abrogated and does not constitute grounds for excusing a report otherwise required to be made under this act.

(3) Notwithstanding any other confidentiality provision in this act and sections 5 and 7(2) of the child protection law, 1975 PA 238, MCL 722.625 and 722.627, information or records in the possession of the department or the department of licensing and regulatory affairs may be shared to the extent necessary for the proper functioning of the department or the department of licensing and regulatory affairs in administering child or adult welfare or child or adult foster care facility licensing under this act or in an investigation conducted under section 43b. Information or records shared under this subsection shall not be released by the department or the department of licensing and regulatory affairs unless otherwise permitted under this act or other state or federal law.

History: Add. 1982, Act 519, Eff. Mar. 30, 1983;—Am. 2016, Act 493, Eff. Apr. 6, 2017.

Popular name: Act 280