

CHILD CARE ORGANIZATIONS (EXCERPT)
Act 116 of 1973

722.113f Child care organization receiving notice of high-risk special investigation; notification to parent or legal guardian; requirements; noncompliance; determination of no substantial rule violations; exceptions; "high-risk special investigation" defined.

Sec. 3f. (1) Except as provided in subsection (5), within 24 hours after a child care organization receives notice that a high-risk special investigation is being conducted by the department, the child care organization shall make a good-faith effort to make oral notification to each parent or legal guardian of 1 or more of the following:

(a) Children who were under the child care organization's care at the site and the time the incident being investigated occurred.

(b) If the individual being investigated is still present at the child care organization at the time of the investigation, children who have or will come into contact with the individual being investigated as long as that individual is present at the child care organization.

(2) The child care organization shall send written notification within 1 business day after the initial good-faith attempt under subsection (1) at oral notification. For the purpose of this subsection, written notification shall be given by 1 of the following:

(a) Mail service.

(b) Facsimile transmission.

(c) Electronic mail.

(3) If the department determines that a child care organization is not complying with either notification requirement in subsection (1) or (2), the department may suspend the child care organization's license issued under this act pending review.

(4) If, upon completion of the high-risk special investigation, the department makes a determination that there are no substantiated rule violations, the department shall provide the child care organization with written notification of that determination that the child care organization may share with the parents or legal guardians of the children in the child care organization's care who received the notification required under subsections (1) and (2).

(5) This section does not apply to a child caring institution, child placing agency, foster family home, or foster family group home.

(6) For the purpose of this section, "high-risk special investigation" means an investigation that the department conducts regarding 1 or more of the conditions listed in section 8(3)(a) to (c) of the child protection law, 1975 PA 238, MCL 722.628.

History: Add. 2008, Act 15, Eff. June 1, 2008;—Am. 2017, Act 257, Eff. Mar. 28, 2018.

Compiler's note: For transfer of powers and duties pertaining to children's camp, child care center, day care center, family day care home, and group day care home licensing and regulation from department of human services to department of licensing and regulatory affairs, see E.R.O. No. 2015-1, compiled at MCL 400.227.

For transfer of powers and duties relative to the licensing and regulation of child caring institutions, child placing agencies, foster family homes, foster family group homes, and court-operated facilities from department of licensing and regulatory affairs to the department of health and human services, see E.R.O. No. 2018-6, compiled at MCL 722.110.

For the transfer of all powers and duties related to the licensing and regulation of children's camps, child care centers, day care centers, family day care homes, and group day care homes from the department of licensing and regulatory affairs to MiLEAP, see E.R.O. No. 2023-2, compiled at MCL 388.1283.

Popular name: Act 116

Popular name: Child Care Licensing Act