



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986

House Bill 4325 (Substitute H-1 as reported without amendment)

Sponsor: Representative Matt Hall

House Committee: Families, Children, and Seniors

Senate Committee: Families, Seniors, and Veterans

**CONTENT**

The bill would amend the Older Michiganians Act to do the following:

- Require each area agency on aging to conduct a criminal background check that revealed information similar to that found in an Internet Criminal History Access Tool (ICHAT) check for each new employee, employee, subcontractor, subcontractor employee, or volunteer who had in-person client contact, in-person home client contact, access to a client's personal property, or access to confidential client information, beginning October 1, 2020.
- Specify that a criminal background check for a new hire or new employee would have to be completed before the individual began working directly with a client or had access to a client's personal property or confidential client information.
- Require each area agency on aging to update criminal background checks for all employees and volunteers every three years.
- Specify that an employee hired before or a volunteer who started volunteering before October 1, 2020, would have to be screened within 90 days after the bill's effective date, unless the agency had conducted a criminal background check that met the bill's requirements.
- Prohibit an employee from being permitted to work directly with a client or having access to a client's personal property or confidential client information if the result of the criminal background check showed certain convictions prescribed by the bill.
- Require each area agency on aging to maintain documentation of all criminal background checks.

The bill specifies that it is intended to be retroactive and would apply retroactively beginning October 1, 2020.

Proposed MCL 400.586I

Legislative Analyst: Tyler VanHuyse

**FISCAL IMPACT**

The bill would have an indeterminate negative fiscal impact on the Department of Health and Human Services (DHHS) and no fiscal impact on local units of government. The increase in costs to the DHHS would result from additional administrative review requirements during field assessments to ensure that the area agencies on aging are complying with the more stringent background checks.

A fingerprint-based criminal history background check currently costs \$43.25 (\$30 for a State history check and \$13.25 for a Federal history check). Nonfingerprint background checks can be conducted without charge through the publicly accessible ICHAT and other registries.

Date Completed: 5-21-21

Fiscal Analyst: Ellyn Ackerman  
Bruce Baker

floor\hb4325

Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.