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SFA**BILL ANALYSIS**

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House Bill 5144 (Substitute S-1 as reported)
Sponsor: Representative Ruth Johnson
House Committee: Family and Children Services
Senate Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Child Protection Law (CPL) to grant a citizen review panel access to confidential information in the Family Independence Agency's (FIA's) central registry for child protective services; revise requirements for keeping information in the child protective services information (CPSI) system; modify the descriptions of FIA categories and departmental responses for each category of determinations in child abuse and neglect investigations; and change the requirements for the FIA's report to the Legislature.

The bill would add a "citizen review panel" to the list of entities to whom central registry information is available. Access would be limited to information necessary for the panel to carry out its duties. ("Citizen review panel" would mean a panel established as required by the Federal Child Abuse Prevention and Treatment Act.) The bill specifies that a member or employee of a panel could not disclose identifying information about a child protection case. Information obtained by a panel would not be subject to the Freedom of Information Act. Also, a panel member or employee would be protected under the governmental immunity law.

If a case were classified as a central registry case, the FIA would have to keep a report on the CPSI system until the perpetrator was dead, rather than until the child is 18 years old or 10 years after the beginning of the investigation, whichever is later, as under current law.

After an abuse and neglect investigation, the FIA determines in which category--I through V, with I being the most serious--to classify the allegation. The bill would revise some categories: Category V would mean that there was no evidence of child abuse or neglect; Category IV would mean that there was not a preponderance of evidence of abuse or neglect, but future risk of harm to the child existed and the FIA would have to assist the family in voluntarily participating in services commensurate with the risk; and Category III would mean that, if the family did not voluntarily participate or did not progress toward alleviating the risk level, the FIA would have to consider reclassifying the case.

The bill would require FIA reports to the Legislature in fiscal years 1999-2000, 2000-01, and 2001-02, rather than just in 1999-2000.

MCL 722.622 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State government. The citizen review panel provisions are mandated by Federal guidelines that were finalized in February 2000. Making the technical changes would avoid possible Federal fund penalties.

Date Completed: 3-6-00

Fiscal Analyst: C. Cole