




Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4096 (Substitute S-1 as reported)
Sponsor: Representative Lauren Hager
House Committee: Family and Children Services
Senate Committee: Families and Human Services

CONTENT

The bill would amend the Children's Ombudsman Act to do the following:

- Require the Governor, with the advice and consent of the Senate, to appoint a Children's Ombudsman.
- Allow any individual to submit a complaint to the Ombudsman.
- Give the Ombudsman the sole discretion and authority to determine whether to investigate a complaint and whether the complaint involved an administrative act.
- Authorize the Ombudsman to review each departmental review team study in which a child's death could have resulted from child abuse or neglect.
- Allow the Ombudsman to have access to Family Independence Agency (FIA) computer networks and records and reports, including medical and mental health records, necessary to carry out his or her powers and duties.
- Authorize the Ombudsman, for five years, to request from a court a subpoena for records and reports, and petition the court to enforce the subpoena.
- Revise the Act's confidentiality requirements, and allow the Ombudsman to disclose confidential information under certain circumstances.
- Require Children's Ombudsman Office personnel to receive training in handling child abuse or neglect complaints that involved a history of domestic violence.
- Prescribe penalties for intentionally making a false complaint of child abuse or neglect.
- Repeal a requirement that the Ombudsman maintain an adoption attorney registry.

MCL 722.924-722.931

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would result in an indeterminate workload increase for the Office of Children's Ombudsman. The information technology cost related to providing the Ombudsman access to Family Independence Agency computer networks would be negotiated by the Ombudsman, the FIA, and the Department of Information Technology. Any new costs related to the bill would be limited by annual appropriations. The FY 2004-05 budget for the Office of the Children's Ombudsman includes 14.0 FTEs and \$1,279,300.

The bill would have no fiscal impact on the Family Independence Agency.

Date Completed: 12-2-04

Fiscal Analyst: Bill Bowerman
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