

Legislative Analysis



REPORTING SUSPECTED CHILD ABUSE OR NEGLECT

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House Bill 5984

Sponsor: Rep. Kate Ebli

Committee: Judiciary

Complete to 4-15-08

A SUMMARY OF HOUSE BILL 5984 AS INTRODUCED 4-10-08

The state Child Protection Law requires numerous categories of professionals to report suspected cases of child abuse or neglect. However, a recently enacted federal statute, the Violence Against Women Act, prohibits recipients of grants issued under the act from revealing personal identifying information about clients or their children who are survivors of domestic violence, sexual assault, and stalking unless specifically required to do so under the law of the state in which the agency is located. Michigan law does not currently mandate reporting by a person who works at an agency funded under the federal law unless he or she is also a member of one of the listed professions.

House Bill 5984 would amend Section 3 of the Child Protection Law (MCL 722.623), which requires certain professionals to report suspected cases of child abuse or neglect, to also require any employee of an organization or entity that, as result of federal funding statutes, regulations, or contracts, would be prohibited from reporting in the absence of a state mandate or court order to report suspected child abuse or neglect. These employees would be required to report in the same manner as physicians, social workers, nurses, school personnel, members of the clergy, and other listed professionals currently do.

FISCAL IMPACT:

According to the Department of Human Services, the bill would respond to recent amendments to federal law which prohibit grant recipients of any federal Violence Against Women Act (VAWA) funding from revealing personal information about clients who are survivors of abuse unless required to by statute or court order. The new provisions added by the bill would add these organizations to the list of mandated reporters for suspected abuse or neglect. Since these organizations were voluntarily reporting this information until recently, the bill should not have a significant impact on reports of abuse/neglect, and therefore should not have a significant impact on State or local costs or workloads in terms of investigating these reports.

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