



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 420 (as reported by the Committee of the Whole)
Sponsor: Senator Phil Pavlov
Committee: Families, Seniors and Human Services

CONTENT

The bill would amend the Child Protection Law to modify the following:

- The definition of "child neglect" in regard to negligent treatment.
- The circumstances under which the Department of Health and Human Services (DHHS) must submit a petition to the family court concerning a child, in situations in which parental rights to another child have been terminated.

The Law requires certain professionals to report to the DHHS if they have reasonable cause to suspect child abuse or child neglect, and imposes various investigative, reporting, record-keeping, and other responsibilities on the Department.

The Law defines "child neglect" as harm or threatened harm to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare that occurs through either of the following:

- Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
- Placing a child at an unreasonable risk to his or her welfare (as described in the Law).

Under the bill, child neglect would mean harm or threatened harm, as described above, through negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care though, in the court's discretion, financially able to do so or, in the court's discretion, the failure to seek financial or other reasonable means to do so.

MCL 722.622 & 722.638

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill could have a slight fiscal cost to the Department of Health and Human Services if the proposed change in the definition of "child neglect" resulted in more child protective service investigations. No clear data exist showing how many parents currently do not provide adequate food, clothing, shelter, or medical care though they are financially able to do so or offered financial or other means to do so. If the proposed change in the definition caused an increase in out-of-home placements or in-home programs, there could be a cost to the Department and county governments depending on the type of wardship determined for the child. There could be an increase in costs to local government for a share in the costs of care and for any increase in the number of proceedings in the family court.

Date Completed: 11-29-17

Fiscal Analyst: John Maxwell