

ABBREVIATED INVESTIGATIONS

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House Bill 4704 as referred to second committee
Sponsor: Rep. Kathy Crawford
1st Committee: Families, Children and Seniors
2nd Committee: Judiciary
Complete to 12-1-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4704 would amend the Child Protection Law (CPL) to define ***abbreviated investigation*** and to exempt abbreviated investigations from investigation checklist requirements.

Currently under the act, the Department of Health and Human Services (DHHS) must implement an ***investigation checklist*** to be used in each investigation of suspected child abuse or child neglect it handles. An investigation cannot be closed until the checklist is completed and the completed checklist is reviewed by a supervisor.

The bill would add a definition for ***investigation checklist*** (“a tool used by a supervisor to review and verify compliance with investigation requirements”).

The bill would also define ***abbreviated investigation*** to mean an investigation in which a full investigation with all investigative policy requirements is not conducted and the department has determined that the case will result in a departmental determination, following a field investigation, that there is no evidence of child abuse or child neglect and that departmental services are not needed (i.e., a Category V disposition).

Under the bill, a caseworker would have to document why an investigation was an abbreviated investigation. An investigation checklist would not be required for an abbreviated investigation. However, before an abbreviated investigation could be closed, the investigation would have to be approved by the county director or his or her designee. If this review and approval did not occur, the caseworker would have to conduct a full investigation.

MCL 722.622 and 722.628a

BACKGROUND:

The Office of the Auditor General released its performance audit report on Children’s Protective Services (CPS) investigations in September 2018.¹ The report summarizes its Finding #23 as follows: “CPS investigators were not required to complete an investigation

¹ Report highlights: <https://audgen.michigan.gov/wp-content/uploads/2018/09/CPS-REPORT-HIGHLIGHTS.pdf>
Full report: <https://audgen.michigan.gov/wp-content/uploads/2018/09/r431128516-0011.pdf>

checklist when conducting abbreviated CPS investigations, nor did [DHHS] ensure that local county office directors always conducted a review of abbreviated investigations, when necessary, prior to closing the investigation.” See pages 70 and 71 of the report for a fuller discussion of Finding #23,² including a preliminary response from DHHS to the finding.

FISCAL IMPACT:

House Bill 4704 would have minimal fiscal impact on DHHS and local units of government. Any additional cost to DHHS would depend upon any increase in administrative or staff costs under the bill’s provisions.

POSITIONS:

Representatives of the following entities testified with no position on the bill (9-4-19):

Office of the Auditor General
Office of Children’s Ombudsman
Department of Health and Human Services

Legislative Analyst: E. Best
Fiscal Analyst: Viola Bay Wild

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

² <https://audgen.michigan.gov/wp-content/uploads/2018/09/r431128516-0011.pdf#page=72>