

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 504

A bill to amend 1975 PA 238, entitled
"Child protection law,"
(MCL 722.621 to 722.636) by adding section 7b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7B. (1) BY JANUARY 1, 1999, EACH COUNTY MAY HAVE IN
2 PLACE A STANDING CHILD FATALITY REVIEW TEAM. TWO OR MORE COUN-
3 TIES MAY APPOINT A SINGLE CHILD FATALITY REVIEW TEAM FOR THOSE
4 COUNTIES. THE MEMBERSHIP OF A CHILD FATALITY REVIEW TEAM SHALL
5 CONSIST OF AT LEAST ALL OF THE FOLLOWING:
6 (A) A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL
7 EXAMINER APPOINTED UNDER 1963 PA 181, MCL 52.201 TO 52.216.
8 (B) A REPRESENTATIVE OF A LOCAL LAW ENFORCEMENT AGENCY.
9 (C) A REPRESENTATIVE OF THE DEPARTMENT.
10 (D) THE COUNTY PROSECUTING ATTORNEY OR A DESIGNATED
11 ASSISTANT COUNTY PROSECUTOR.

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1 (E) A REPRESENTATIVE OF THE DEPARTMENT OF COMMUNITY HEALTH
2 OR A LOCAL HEALTH DEPARTMENT.

3 (2) A CHILD FATALITY REVIEW TEAM ESTABLISHED UNDER SUBSEC-
4 TION (1) SHALL REVIEW EACH CHILD FATALITY OCCURRING IN THE COUNTY
5 OR COUNTIES THAT ESTABLISHED THE CHILD FATALITY REVIEW TEAM.

6 (3) THE DEPARTMENT SHALL MAKE AVAILABLE TO EACH CHILD FATAL-
7 ITY REVIEW TEAM ESTABLISHED UNDER SUBSECTION (1) PROFESSIONAL,
8 INTERAGENCY TRAINING AND ORIENTATION ON THE REVIEW OF CHILD
9 FATALITIES. THE DEPARTMENT SHALL MAKE AVAILABLE, AS NECESSARY,
10 TRAINING ON SPECIFIC TYPES OF CHILD FATALITIES, INVESTIGATION
11 TECHNIQUES, AND PREVENTION INITIATIVES.

12 (4) BY JANUARY 1, 1998, THE DEPARTMENT SHALL ESTABLISH A
13 MULTIAGENCY, MULTIDISCIPLINARY ADVISORY COMMITTEE TO IDENTIFY AND
14 MAKE RECOMMENDATIONS ON POLICY AND STATUTORY CHANGES PERTAINING
15 TO CHILD FATALITIES AND TO GUIDE STATEWIDE PREVENTION, EDUCATION,
16 AND TRAINING EFFORTS.

17 (5) THE ADVISORY COMMITTEE CREATED UNDER SUBSECTION (4) CON-
18 SISTS OF THE FOLLOWING:

19 (A) TWO REPRESENTATIVES OF THE FAMILY INDEPENDENCE AGENCY.

20 (B) TWO REPRESENTATIVES OF THE DEPARTMENT OF COMMUNITY
21 HEALTH.

22 (C) ONE COUNTY MEDICAL EXAMINER.

23 (D) ONE REPRESENTATIVE OF LAW ENFORCEMENT.

24 (E) ONE COUNTY PROSECUTING ATTORNEY.

25 (F) THE CHILDREN'S OMBUDSMAN OR HIS OR HER DESIGNEE.

26 (6) USING THE ANNUAL COMPILATION OF CHILD FATALITIES
27 REPORTED BY THE STATE REGISTRAR UNDER PART 28 OF THE PUBLIC

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1 HEALTH CODE, 1978 PA 368, MCL 333.2801 TO 333.2899, AND DATA
2 RECEIVED FROM THE CHILD FATALITY REVIEW TEAMS ESTABLISHED UNDER
3 SUBSECTION (1), THE ADVISORY COMMITTEE ESTABLISHED UNDER SUBSEC-
4 TION (4) SHALL PUBLISH AN ANNUAL REPORT ON CHILD FATALITIES. THE
5 ADVISORY COMMITTEE SHALL INCLUDE IN THE REPORT, AT A MINIMUM, ALL
6 OF THE FOLLOWING:

7 (A) THE TOTAL NUMBER OF CHILD FATALITIES AND THE TYPE OR
8 CAUSE OF EACH CHILD FATALITY.

9 (B) THE NUMBER OF CHILD FATALITIES THAT OCCURRED WHILE THE
10 CHILD WAS IN FOSTER CARE.

11 (C) THE NUMBER OF CASES WHERE THE CHILD'S DEATH OCCURRED
12 WITHIN 5 YEARS AFTER FAMILY PRESERVATION OR FAMILY
13 REUNIFICATION.

14 (D) TRENDS IN CHILD FATALITIES.

15 (7) THE ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (4)
16 SHALL BREAK DOWN THE INFORMATION REQUIRED UNDER SUBSECTION (6) BY
17 COUNTY OR BY GROUPS OF COUNTIES AS DESCRIBED IN SUBSECTION (1).
18 THE INFORMATION CONTAINED IN THE REPORT IS PUBLIC INFORMATION.
19 THE ADVISORY COMMITTEE SHALL NOT INCLUDE IDENTIFYING INFORMATION
20 OF PERSONS NAMED IN THE REPORT. THE ADVISORY COMMITTEE SHALL
21 TRANSMIT A COPY OF THE REPORT REQUIRED UNDER SUBSECTION (6) TO
22 THE GOVERNOR AND TO THE STANDING COMMITTEES OF THE LEGISLATURE
23 WITH JURISDICTION OVER MATTERS PERTAINING TO CHILD PROTECTION.

24 (8) INFORMATION OBTAINED BY A CHILD FATALITY REVIEW TEAM
25 ESTABLISHED UNDER SUBSECTION (1) IS CONFIDENTIAL AND MAY BE DIS-
26 CLOSED BY THE CHILD FATALITY REVIEW TEAM ONLY TO THE DEPARTMENT,
27 THE CHILDREN'S OMBUDSMAN, THE COUNTY PROSECUTOR'S OFFICE, LOCAL

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1 LAW ENFORCEMENT, OR ANOTHER CHILD FATALITY REVIEW TEAM. THE
2 INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT,
3 1976 PA 442, MCL 15.231 TO 15.246.

4 (9) AN INDIVIDUAL WHO IS A MEMBER OF A CHILD FATALITY REVIEW
5 TEAM ESTABLISHED UNDER SUBSECTION (1) OR OF THE ADVISORY COMMIT-
6 TEE ESTABLISHED UNDER SUBSECTION (4) IS A MEMBER OF A BOARD,
7 COUNCIL, COMMISSION, OR STATUTORILY CREATED TASK FORCE OF A GOV-
8 ERNMENTAL AGENCY FOR THE PURPOSES OF SECTION 7 OF 1964 PA 170,
9 MCL 691.1407.

10 Enacting section 1. This amendatory act does not take
11 effect unless Senate Bill No. 515 of the 89th Legislature is
12 enacted into law.