

Legislative Analysis



REVIEWS OF CHILDREN'S DEATH

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House Bill 4387 (Substitute H-1)
Sponsor: Rep. Margaret O'Brien
Committee: Families, Children, and Seniors

Complete to 5-24-11

A SUMMARY OF HOUSE BILL 4387 AS REPORTED FROM COMMITTEE

House Bill 4387 would amend Section 7b of the Child Protection Law to do the following:

- Require a child fatality review team created under the law to include a representative of a local court and require the Department of Human Services multi-agency advisory committee to include a representative of a state or local court.
- Require the citizen review panel to review each child fatality involving allegations of child abuse or neglect for each child who, at the time of death or within the preceding 12 months, was under the jurisdiction of the Family Court in an abuse or neglect case.
- Require the advisory committee to transmit its annual report of child fatalities to the Department of Human Services, and publish the report between 30 and 60 days after transmitting it to the department.

Currently under the law each county is required to have a standing child fatality review team, although two or more counties may appoint a single review team for those counties. The law also requires the DHS to establish a multi-agency, multidisciplinary advisory committee to identify and make recommendations on policy and statutory changes pertaining to child fatalities and to guide statewide prevention, education, and training efforts. The law defines "citizen review panel" as a panel established as required by the federal Child Abuse Prevention and Treatment Act. (Under federal law, Michigan has a Child Death CRP; a Prevention CRP; and a Child Protective Services, Foster Care, and Adoption CRP.)

In addition, the law requires the DHS advisory committee to publish an annual report on child fatalities, using an annual compilation of child fatalities reported by the State Registrar under the Public Health Code and data received from the child fatality review teams.

Under the bill, beginning December 31, 2012, the DHS advisory committee would instead be required to "author" an annual report on cases of child fatality "reviewed during the previous calendar year." The advisory committee must transmit the final

report to the DHS by December 31 of each year. Not less than 30 days or more than 60 days after transmission to the department, the DHS would have to ensure publication of the report and transmit a copy to the governor and the legislative committees with jurisdiction over child protection matters.

FISCAL IMPACT:

The bill would have no fiscal impact on state and local government.

BACKGROUND INFORMATION:

This bill is one of a package of bills (House Bills 4384-4387) that proponents have said is aimed at revising procedures for investigating the death of a child who was under the jurisdiction of a court or was subject of child abuse and neglect investigations; improving communication between public agencies and public officials; aggregating information into a database of child deaths, available to officials and the general public; and helping public officials identify systemic problems that may be leading to the death of children. Each bill is summarized separately.

POSITIONS:

Department of Human Services supports the bill. (5-17-11)

National Association of Social Workers-MI Chapter supports the bill. (5-17-11)

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