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## BILL ANALYSIS



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Senate Bill 334 (as enacted)  
Sponsor: Senator Judy K. Emmons  
Senate Committee: Families, Seniors and Human Services  
House Committee: Families, Children, and Seniors

**PUBLIC ACT 35 of 2016**

Date Completed: 3-11-16

**CONTENT**

**The bill amended the Child Protection Law to do the following:**

- **Require a mandated reporter of suspected child abuse or neglect to make an immediate report to centralized intake by telephone or through the online reporting system established by the Department of Health and Human Services (DHHS).**
- **Specify that a report made using the online reporting system will be considered a written report if it contains the information required in a written report.**
- **Require written reports to be submitted to centralized intake instead of a county department of human services.**
- **Allow the disclosure of a confidential record to a State or Federal agency that may audit the Department's activities under the Law.**

The bill took effect on March 8, 2016.

Reporting Requirements

The Child Protection Law (CPL) requires medical professionals, marriage therapists, licensed counselors, social workers, social service technicians, school counselors, professionals employed in a friend of the court office, school administrators, teachers, law enforcement officers, members of the clergy, and regulated child care providers to report to the Department of Health and Human Services if they have reasonable cause to suspect child abuse or neglect. (These individuals are commonly referred to as "mandated reporters".) Previously, the CPL required mandated reporters immediately to make an oral report, or cause an oral report to be made. The bill, instead, requires a mandated reporter to make an immediate report to centralized intake by telephone or, if available, through the online reporting system.

The CPL previously required the reporting person to file a written report within 72 hours after making an oral report. Under the bill, this requirement applies if the person makes an oral report by telephone to centralized intake. If the immediate report has been made using the online reporting system and includes the information required in a written report, the online report will be considered a written report and no additional written report will be required. A report made using the online system is required to contain the same information that must be included in a written report.

Previously, the CPL required written reports to be mailed or otherwise transmitted to the county department of human services in the county in which the child suspected of being

abused or neglected was found. The bill, instead, requires written reports to be mailed or otherwise transmitted to centralized intake.

The bill defines "centralized intake" as the DHHS's statewide centralized processing center for reports of suspected child abuse and neglect. "Online reporting system" refers to the electronic system established by the Department for mandated reporters to report suspected child abuse or child neglect.

#### Disclosure

The CPL requires the DHHS to maintain a statewide electronic central registry to carry out the statute. Except as otherwise provided, a written report, document, or photograph filed with the Department under the Law is a confidential record available only to specified individuals and entities. The bill includes among those entities a Federal or State governmental agency that may, by law, conduct an audit or similar review of the Department's activities under the CPL.

MCL 722.622 et al.

Legislative Analyst: Suzanne Lowe

#### **FISCAL IMPACT**

The Department of Health and Human Services has estimated the cost of the online reporting system at \$2.6 million for start-up. Additionally, there might be ongoing maintenance costs.

Fiscal Analyst: John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.