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Senate Bill 261 (as introduced 2-18-09)
Sponsor: Senator Alan L. Cropsey
Committee: Families and Human Services

Date Completed: 3-9-09

CONTENT

The bill would amend the Child Protection Law (CPL) to do the following:

- **Require a child fatality review team and the advisory committee created under the CPL to include a representative of a State or local court.**
- **Require the advisory committee to review each child fatality involving a child under the jurisdiction of the family court in an abuse or neglect case.**
- **Require the advisory committee to publish a report of its review without prior approval from the Department of Human Services (DHS).**

Review Team

The CPL requires each county to have a standing child fatality review team, although two or more counties may appoint a single review team for those counties. A review team must consist of at least all of the following:

- A county medical examiner or deputy county medical examiner.
- A representative of a local law enforcement agency.
- A representative of the DHS.
- The county prosecuting attorney or a designated assistant county prosecutor.
- A representative of the Department of Community Health (DCH) or a local health department.

The bill also would require a review team to include representative of a State or local court.

Advisory Committee

The CPL 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 advisory committee must consist of the following:

- Two representatives of the DHS.
- Two representatives of the DCH.
- One county medical examiner.
- One representative of law enforcement.
- One county prosecuting attorney.
- The Children's Ombudsman or his or her designee.

The bill also would require the advisory committee to include a representative of a State or local court.

Review & Report

The bill would require the advisory committee to review each child fatality that involved a child who was or had been under the court's jurisdiction under Section 2(b) of the juvenile code.

(Section 2(b) grants the family division of circuit court (family court) jurisdiction in proceedings involving a juvenile under the age of 18 whose parent or legal guardian neglects to provide proper or necessary support, education, medical, surgical or other necessary care; who is subject to a substantial risk of harm to his or her mental well-being; who is abandoned by his or her parents or guardian; or who is without proper custody or guardianship. The court also has jurisdiction over a juvenile whose home or environment is an unfit place to live in because of a parent's or guardian's neglect, cruelty, drunkenness, criminality, or depravity; or whose parent has substantially failed, without good cause, to comply with a limited guardianship plan or a court-structured plan.)

The CPL requires the advisory committee to publish an annual report on child fatalities, using the annual compilation of those fatalities reported by the State Registrar under the Public Health Code and data received from the child fatality review teams. The report must include specific information on the total number of child fatalities, the cause of each fatality, the number of fatalities that occurred while the child was in foster care, and other information, but may not include identifying information of any people named in the report.

The bill would require the advisory committee to publish the report without prior approval from the DHS.

MCL 722.627b

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: David Fosdick

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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.