

Legislative Analysis



NOTIFICATION OF CHILD'S DEATH

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House Bill 4385 (Substitute H-1)
Sponsor: Rep. Thomas Hooker
Committee: Families, Children, and Seniors

Complete to 5-24-11

A SUMMARY OF HOUSE BILL 4385 AS REPORTED FROM COMMITTEE

House Bill 4385 would amend the Child Protection Law to require the Department of Human Services, if a child died while under the court's jurisdiction in a suspected child abuse or neglect case, to provide written or electronic notification to the court with jurisdiction over the child, the state legislators representing the district in which the court was located, and the Children's Ombudsman. Notification would have to be made not later than one business day after the death.

(Section 2(b) of the Juvenile Code grants the Family Division of Circuit Court custody of a child in cases of suspected child abuse or neglect.)

In addition, the department would have to notify the Ombudsman within one business day when a child died and any of the following applied:

- The child died during an active Child Protective Services investigation or an open CPS case.
- The department received a prior CPS complaint concerning the child's caretaker.
- The death may have resulted from child abuse or neglect.

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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