

SENATE BILL No. 1242

September 11, 2012, Introduced by Senator EMMONS and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1973 PA 116, entitled

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

by amending sections 2a and 10 (MCL 722.112a and 722.120), section 2a as amended by 2007 PA 217 and section 10 as amended by 2006 PA 206.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2a. (1) A child caring institution, child care center,
2 **FAMILY CHILD CARE HOME**, or group child care home shall have on duty
3 at all times while the institution, center, or home is providing
4 care to 1 or more children at least 1 person who ~~has been certified~~
5 ~~within the preceding 36 months~~ **IS CURRENTLY CERTIFIED** in first aid
6 and ~~within the preceding 12 months~~ in age-appropriate

1 cardiopulmonary resuscitation by the American ~~red cross~~ **RED CROSS**,
2 the American heart association, or an equivalent organization or
3 institution approved by the department.

4 (2) Section 15 does not apply to this section.

5 Sec. 10. (1) The department may investigate and examine
6 conditions of a child care organization in which a licensee
7 receives, maintains, or places out children, and may investigate
8 and examine the books and records of the licensee. The licensee
9 shall admit members of the department and furnish all reasonable
10 facilities for thorough examination of its books, records, and
11 reports. The department of community health, the bureau of fire
12 services, or local authorities, in carrying out the provisions of
13 this act, may visit a child care organization to advise in matters
14 affecting the health or fire protection of children.

15 (2) A licensee shall keep the records the department
16 prescribes regarding each child in its control and care and shall
17 report to the department, when requested, the facts the department
18 requires with reference to the children upon forms furnished by the
19 department. Except as otherwise provided in this subsection,
20 records regarding children and facts compiled about children and
21 their parents and relatives are confidential and disclosure of this
22 information shall be properly safeguarded by the child care
23 organization, the department, and any other entity in possession of
24 the information. Records that are confidential under this section
25 are available to ~~both~~ **ALL** of the following:

26 (a) A standing or select committee or appropriations
27 subcommittee of either house of the legislature having jurisdiction

1 over protective services matters for children, ~~pursuant to~~ **UNDER**
2 section 7 of the child protection law, 1975 PA 238, MCL 722.627.

3 (b) The children's ombudsman established in section 3 of the
4 children's ombudsman act, 1994 PA 204, MCL 722.923.

5 (C) **THE STATE COURT ADMINISTRATIVE OFFICE - CHILD WELFARE**
6 **SERVICES DIVISION FOR THE PURPOSE OF CONDUCTING INTERNAL REVIEWS OF**
7 **COURT PROCESSES THAT OCCURRED IN CASES IN WHICH A CHILD HAS DIED**
8 **WHILE UNDER COURT JURISDICTION.**