

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 334**

A bill to amend 1975 PA 238, entitled
"Child protection law,"
by amending sections 2, 3, and 7 (MCL 722.622, 722.623, and
722.627), section 2 as amended by 2014 PA 30, section 3 as amended
by 2014 PA 344, and section 7 as amended by 2014 PA 527.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Adult foster care location authorized to care for a
3 child" means an adult foster care family home or adult foster care
4 small group home as defined in section 3 of the adult foster care
5 facility licensing act, 1979 PA 218, MCL 400.703, in which a child
6 is placed in accordance with section 5 of 1973 PA 116, MCL 722.115.

7 (b) "Attorney" means, if appointed to represent a child under
8 the provisions referenced in section 10, an attorney serving as the

1 child's legal advocate in the manner defined and described in
2 section 13a of chapter XIIIA of the probate code of 1939, 1939 PA
3 288, MCL 712A.13a.

4 (c) "Central registry" means the system maintained at the
5 department that is used to keep a record of all reports filed with
6 the department under this act in which relevant and accurate
7 evidence of child abuse or child neglect is found to exist.

8 (d) "Central registry case" means a child protective services
9 case that the department classifies under sections 8 and 8d as
10 category I or category II. For a child protective services case
11 that was investigated before July 1, 1999, central registry case
12 means an allegation of child abuse or child neglect that the
13 department substantiated.

14 (E) **"CENTRALIZED INTAKE" MEANS THE DEPARTMENT'S STATEWIDE**
15 **CENTRALIZED PROCESSING CENTER FOR REPORTS OF SUSPECTED CHILD ABUSE**
16 **AND CHILD NEGLECT.**

17 (F) ~~(e)~~—"Child" means a person under 18 years of age.

18 (G) ~~(f)~~—"Child abuse" means harm or threatened harm to a
19 child's health or welfare that occurs through nonaccidental
20 physical or mental injury, sexual abuse, sexual exploitation, or
21 maltreatment, by a parent, a legal guardian, or any other person
22 responsible for the child's health or welfare or by a teacher, a
23 teacher's aide, or a member of the clergy.

24 (H) ~~(g)~~—"Child care organization" means that term as defined
25 in section 1 of 1973 PA 116, MCL 722.111.

26 (I) ~~(h)~~—"Child care provider" means an owner, operator,
27 employee, or volunteer of a child care organization or of an adult

1 foster care location authorized to care for a child.

2 (J) ~~(i)~~—"Child care regulatory agency" means the department **OF**
3 **LICENSING AND REGULATORY AFFAIRS** or a successor state department
4 that is responsible for the licensing or registration of child care
5 organizations or the licensing of adult foster care locations
6 authorized to care for a child.

7 (K) ~~(j)~~—"Child neglect" means harm or threatened harm to a
8 child's health or welfare by a parent, legal guardian, or any other
9 person responsible for the child's health or welfare that occurs
10 through either of the following:

11 (i) Negligent treatment, including the failure to provide
12 adequate food, clothing, shelter, or medical care.

13 (ii) Placing a child at an unreasonable risk to the child's
14 health or welfare by failure of the parent, legal guardian, or
15 other person responsible for the child's health or welfare to
16 intervene to eliminate that risk when that person is able to do so
17 and has, or should have, knowledge of the risk.

18 (L) ~~(k)~~—"Citizen review panel" means a panel established as
19 required by section 106 of title I of the child abuse prevention
20 and treatment act, 42 USC 5106a.

21 (M) ~~(l)~~—"Member of the clergy" means a priest, minister,
22 rabbi, Christian science practitioner, or other religious
23 practitioner, or similar functionary of a church, temple, or
24 recognized religious body, denomination, or organization.

25 (N) ~~(m)~~—"Controlled substance" means that term as defined in
26 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

27 (O) ~~(n)~~—"CPSI system" means the child protective service

1 information system, which is an internal data system maintained
2 within and by the department, and which is separate from the
3 central registry and not subject to section 7.

4 (P) ~~(e)~~—"Department" means the department of **HEALTH AND** human
5 services.

6 (Q) ~~(p)~~—"Director" means the director of the department.

7 (R) ~~(q)~~—"Expunge" means to physically remove or eliminate and
8 destroy a record or report.

9 (S) ~~(r)~~—"Lawyer-guardian ad litem" means an attorney appointed
10 under section 10 who has the powers and duties referenced by
11 section 10.

12 (T) ~~(s)~~—"Local office file" means the system used to keep a
13 record of a written report, document, or photograph filed with and
14 maintained by a county or a regionally based office of the
15 department.

16 (U) ~~(t)~~—"Nonparent adult" means a person who is 18 years of
17 age or older and who, regardless of the person's domicile, meets
18 all of the following criteria in relation to a child:

19 (i) Has substantial and regular contact with the child.

20 (ii) Has a close personal relationship with the child's parent
21 or with a person responsible for the child's health or welfare.

22 (iii) Is not the child's parent or a person otherwise related
23 to the child by blood or affinity to the third degree.

24 (V) **"ONLINE REPORTING SYSTEM" MEANS THE ELECTRONIC SYSTEM**
25 **ESTABLISHED BY THE DEPARTMENT FOR INDIVIDUALS IDENTIFIED IN SECTION**
26 **3(1) TO REPORT SUSPECTED CHILD ABUSE OR CHILD NEGLECT.**

27 (W) ~~(u)~~—"Person responsible for the child's health or welfare"

1 means a parent, legal guardian, person 18 years of age or older who
2 resides for any length of time in the same home in which the child
3 resides, or, except when used in section 7(2)(e) or 8(8), nonparent
4 adult; or an owner, operator, volunteer, or employee of 1 or more
5 of the following:

6 (i) A licensed or registered child care organization.

7 (ii) A licensed or unlicensed adult foster care family home or
8 adult foster care small group home as defined in section 3 of the
9 adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

10 (iii) A court-operated facility as approved under section 14
11 of the social welfare act, 1939 PA 280, MCL 400.14.

12 (X) ~~(v)~~—"Relevant evidence" means evidence having a tendency
13 to make the existence of a fact that is at issue more probable than
14 it would be without the evidence.

15 (Y) ~~(w)~~—"Sexual abuse" means engaging in sexual contact or
16 sexual penetration as those terms are defined in section 520a of
17 the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

18 (Z) ~~(x)~~—"Sexual exploitation" includes allowing, permitting,
19 or encouraging a child to engage in prostitution, or allowing,
20 permitting, encouraging, or engaging in the photographing, filming,
21 or depicting of a child engaged in a listed sexual act as defined
22 in section 145c of the Michigan penal code, 1931 PA 328, MCL
23 750.145c.

24 (AA) ~~(y)~~—"Specified information" means information in a
25 children's protective services case record related specifically to
26 the department's actions in responding to a complaint of child
27 abuse or child neglect. Specified information does not include any

1 of the following:

2 (i) Except as provided in this subparagraph regarding a
3 perpetrator of child abuse or child neglect, personal
4 identification information for any individual identified in a child
5 protective services record. The exclusion of personal
6 identification information as specified information prescribed by
7 this subparagraph does not include personal identification
8 information identifying an individual alleged to have perpetrated
9 child abuse or child neglect, which allegation has been classified
10 as a central registry case.

11 (ii) Information in a law enforcement report as provided in
12 section 7(8).

13 (iii) Any other information that is specifically designated as
14 confidential under other law.

15 (iv) Any information not related to the department's actions
16 in responding to a report of child abuse or child neglect.

17 **(BB)** ~~(z)~~ "Structured decision-making tool" means the
18 department document labeled "DSS-4752 (P3) (3-95)" or a revision of
19 that document that better measures the risk of future harm to a
20 child.

21 **(CC)** ~~(aa)~~ "Substantiated" means a child protective services
22 case classified as a central registry case.

23 **(DD)** ~~(bb)~~ "Unsubstantiated" means a child protective services
24 case the department classifies under sections 8 and 8d as category
25 III, category IV, or category V.

26 Sec. 3. (1) An individual is required to report under this act
27 as follows:

1 (a) A physician, dentist, physician's assistant, registered
2 dental hygienist, medical examiner, nurse, person licensed to
3 provide emergency medical care, audiologist, psychologist, marriage
4 and family therapist, licensed professional counselor, social
5 worker, licensed master's social worker, licensed bachelor's social
6 worker, registered social service technician, social service
7 technician, a person employed in a professional capacity in any
8 office of the friend of the court, school administrator, school
9 counselor or teacher, law enforcement officer, member of the
10 clergy, or regulated child care provider who has reasonable cause
11 to suspect child abuse or child neglect shall make ~~immediately, by~~
12 ~~telephone or otherwise, an oral report, or cause an oral report to~~
13 ~~be made,~~ **AN IMMEDIATE REPORT TO CENTRALIZED INTAKE BY TELEPHONE,**
14 **OR, IF AVAILABLE, THROUGH THE ONLINE REPORTING SYSTEM,** of the
15 suspected child abuse or child neglect. ~~to the department.~~ Within
16 72 hours after making ~~the~~ **AN oral report BY TELEPHONE TO**
17 **CENTRALIZED INTAKE,** the reporting person shall file a written
18 report as required in this act. **IF THE IMMEDIATE REPORT HAS BEEN**
19 **MADE USING THE ONLINE REPORTING SYSTEM AND THAT REPORT INCLUDES THE**
20 **INFORMATION REQUIRED IN A WRITTEN REPORT UNDER SUBSECTION (2), THAT**
21 **REPORT IS CONSIDERED A WRITTEN REPORT FOR THE PURPOSES OF THIS**
22 **SECTION AND NO ADDITIONAL WRITTEN REPORT IS REQUIRED.** If the
23 reporting person is a member of the staff of a hospital, agency, or
24 school, the reporting person shall notify the person in charge of
25 the hospital, agency, or school of his or her finding and that the
26 report has been made, and shall make a copy of the written **OR**
27 **ELECTRONIC** report available to the person in charge. A notification

1 to the person in charge of a hospital, agency, or school does not
2 relieve the member of the staff of the hospital, agency, or school
3 of the obligation of reporting to the department as required by
4 this section. One report from a hospital, agency, or school is
5 adequate to meet the reporting requirement. A member of the staff
6 of a hospital, agency, or school shall not be dismissed or
7 otherwise penalized for making a report required by this act or for
8 cooperating in an investigation.

9 (b) A department employee who is 1 of the following and has
10 reasonable cause to suspect child abuse or child neglect shall make
11 a report of suspected child abuse or child neglect to the
12 department in the same manner as required under subdivision (a):

- 13 (i) Eligibility specialist.
- 14 (ii) Family independence manager.
- 15 (iii) Family independence specialist.
- 16 (iv) Social services specialist.
- 17 (v) Social work specialist.
- 18 (vi) Social work specialist manager.
- 19 (vii) Welfare services specialist.

20 (c) Any employee of an organization or entity that, as a
21 result of federal funding statutes, regulations, or contracts,
22 would be prohibited from reporting in the absence of a state
23 mandate or court order. A person required to report under this
24 subdivision shall report in the same manner as required under
25 subdivision (a).

26 (2) The written report **OR A REPORT MADE USING THE ONLINE**
27 **REPORTING SYSTEM** shall contain the name of the child and a

1 description of the child abuse or child neglect. If possible, the
2 report shall contain the names and addresses of the child's
3 parents, the child's guardian, the persons with whom the child
4 resides, and the child's age. The report shall contain other
5 information available to the reporting person that might establish
6 the cause of the child abuse or child neglect, and the manner in
7 which the child abuse or child neglect occurred.

8 (3) The department shall inform the reporting person of the
9 required contents of the written report at the time the oral report
10 is made by the reporting person.

11 (4) The written report required in this section shall be
12 mailed or otherwise transmitted to ~~the county department of the~~
13 ~~county in which the child suspected of being abused or neglected is~~
14 ~~found.~~ **CENTRALIZED INTAKE.**

15 (5) Upon receipt of a written report of suspected child abuse
16 or child neglect, the department may provide copies to the
17 prosecuting attorney and the probate court of the counties in which
18 the child suspected of being abused or neglected resides and is
19 found.

20 (6) If an allegation, written report, or subsequent
21 investigation of suspected child abuse or child neglect indicates a
22 violation of sections 136b, 145c, 462a to 462h, or 520b to 520g of
23 the Michigan penal code, 1931 PA 328, MCL 750.136b, 750.145c,
24 750.462a to 750.462h, and 750.520b to 750.520g, or section 7401c of
25 the public health code, 1978 PA 368, MCL 333.7401c, involving
26 methamphetamine has occurred, or if the allegation, written report,
27 or subsequent investigation indicates that the suspected child

1 abuse or child neglect was committed by an individual who is not a
2 person responsible for the child's health or welfare, including,
3 but not limited to, a member of the clergy, a teacher, or a
4 teacher's aide, the department shall transmit a copy of the
5 allegation or written report and the results of any investigation
6 to a law enforcement agency in the county in which the incident
7 occurred. If an allegation, written report, or subsequent
8 investigation indicates that the individual who committed the
9 suspected child abuse or child neglect is a child care provider and
10 the department believes that the report has basis in fact, the
11 department shall, within 24 hours of completion, transmit a copy of
12 the written report or the results of the investigation to the child
13 care regulatory agency with authority over the child care
14 provider's child care organization or adult foster care location
15 authorized to care for a child.

16 (7) If a local law enforcement agency receives an allegation
17 or written report of suspected child abuse or child neglect or
18 discovers evidence of or receives a report of an individual
19 allowing a child to be exposed to or to have contact with
20 methamphetamine production, and the allegation, written report, or
21 subsequent investigation indicates that the child abuse or child
22 neglect or allowing a child to be exposed to or to have contact
23 with methamphetamine production, was committed by a person
24 responsible for the child's health or welfare, the local law
25 enforcement agency shall refer the allegation or provide a copy of
26 the written report and the results of any investigation to the
27 county department of the county in which the abused or neglected

1 child is found, as required by subsection (1)(a). If an allegation,
2 written report, or subsequent investigation indicates that the
3 individual who committed the suspected child abuse or child neglect
4 or allowed a child to be exposed to or to have contact with
5 methamphetamine production, is a child care provider and the local
6 law enforcement agency believes that the report has basis in fact,
7 the local law enforcement agency shall transmit a copy of the
8 written report or the results of the investigation to the child
9 care regulatory agency with authority over the child care
10 provider's child care organization or adult foster care location
11 authorized to care for a child. Nothing in this subsection or
12 subsection (1) relieves the department of its responsibilities to
13 investigate reports of suspected child abuse or child neglect under
14 this act.

15 (8) For purposes of this act, the pregnancy of a child less
16 than 12 years of age or the presence of a ~~venereal disease~~ **SEXUALLY**
17 **TRANSMITTED INFECTION** in a child who is over 1 month of age but
18 less than 12 years of age is reasonable cause to suspect child
19 abuse or child neglect has occurred.

20 (9) In conducting an investigation of child abuse or child
21 neglect, if the department suspects that a child has been exposed
22 to or has had contact with methamphetamine production, the
23 department shall immediately contact the law enforcement agency in
24 the county in which the incident occurred.

25 Sec. 7. (1) The department shall maintain a statewide,
26 electronic central registry to carry out the intent of this act.

27 (2) Unless made public as specified information released under

1 section 7d, a written report, document, or photograph filed with
2 the department as provided in this act is a confidential record
3 available only to 1 or more of the following:

4 (a) A legally mandated public or private child protective
5 agency investigating a report of known or suspected child abuse or
6 child neglect or a legally mandated public or private child
7 protective agency or foster care agency prosecuting a disciplinary
8 action against its own employee involving child protective services
9 or foster records.

10 (b) A police or other law enforcement agency investigating a
11 report of known or suspected child abuse or child neglect.

12 (c) A physician who is treating a child whom the physician
13 reasonably suspects may be abused or neglected.

14 (d) A person legally authorized to place a child in protective
15 custody when the person is confronted with a child whom the person
16 reasonably suspects may be abused or neglected and the confidential
17 record is necessary to determine whether to place the child in
18 protective custody.

19 (e) A person, agency, or organization, including a
20 multidisciplinary case consultation team, authorized to diagnose,
21 care for, treat, or supervise a child or family who is the subject
22 of a report or record under this act, or who is responsible for the
23 child's health or welfare.

24 (f) A person named in the report or record as a perpetrator or
25 alleged perpetrator of the child abuse or child neglect or a victim
26 who is an adult at the time of the request, if the identity of the
27 reporting person is protected as provided in section 5.

1 (g) A court for the purposes of determining the suitability of
2 a person as a guardian of a minor or that otherwise determines that
3 the information is necessary to decide an issue before the court,
4 or in the event of a child's death, a court that had jurisdiction
5 over that child under section 2(b) of chapter XIIA of the probate
6 code of 1939, 1939 PA 288, MCL 712A.2.

7 (h) A grand jury that determines the information is necessary
8 to conduct the grand jury's official business.

9 (i) A person, agency, or organization engaged in a bona fide
10 research or evaluation project. The person, agency, or organization
11 shall not release information identifying a person named in the
12 report or record unless that person's written consent is obtained.
13 The person, agency, or organization shall not conduct a personal
14 interview with a family without the family's prior consent and
15 shall not disclose information that would identify the child or the
16 child's family or other identifying information. The department
17 director may authorize the release of information to a person,
18 agency, or organization described in this subdivision if the
19 release contributes to the purposes of this act and the person,
20 agency, or organization has appropriate controls to maintain the
21 confidentiality of personally identifying information for a person
22 named in a report or record made under this act.

23 (j) A lawyer-guardian ad litem or other attorney appointed as
24 provided by section 10.

25 (k) A child placing agency licensed under 1973 PA 116, MCL
26 722.111 to 722.128, for the purpose of investigating an applicant
27 for adoption, a foster care applicant or licensee or an employee of

1 a foster care applicant or licensee, an adult member of an
2 applicant's or licensee's household, or other persons in a foster
3 care or adoptive home who are directly responsible for the care and
4 welfare of children, to determine suitability of a home for
5 adoption or foster care. The child placing agency shall disclose
6 the information to a foster care applicant or licensee under 1973
7 PA 116, MCL 722.111 to 722.128, or to an applicant for adoption.

8 (l) Family division of circuit court staff authorized by the
9 court to investigate foster care applicants and licensees,
10 employees of foster care applicants and licensees, adult members of
11 the applicant's or licensee's household, and other persons in the
12 home who are directly responsible for the care and welfare of
13 children, for the purpose of determining the suitability of the
14 home for foster care. The court shall disclose this information to
15 the applicant or licensee.

16 (m) Subject to section 7a, a standing or select committee or
17 appropriations subcommittee of either house of the legislature
18 having jurisdiction over child protective services matters.

19 (n) The children's ombudsman appointed under the children's
20 ombudsman act, 1994 PA 204, MCL 722.921 to 722.932.

21 (o) A child fatality review team established under section 7b
22 and authorized under that section to investigate and review a child
23 death.

24 (p) A county medical examiner or deputy county medical
25 examiner appointed under 1953 PA 181, MCL 52.201 to 52.216, for the
26 purpose of carrying out his or her duties under that act.

27 (q) A citizen review panel established by the department.

Senate Bill No. 334 as amended February 24, 2016

1 Access under this subdivision is limited to information the
2 department determines is necessary for the panel to carry out its
3 prescribed duties.

4 (r) A child care regulatory agency.

5 (s) A foster care review board for the purpose of meeting the
6 requirements of 1984 PA 422, MCL 722.131 to 722.139a.

7 (t) A local friend of the court office.

8 (u) A department employee actively representing himself or
9 herself in a disciplinary action, a labor union representative who
10 is actively representing a department employee in a disciplinary
11 action, or an arbitrator or administrative law judge conducting a
12 hearing involving a department employee's dereliction, malfeasance,
13 or misfeasance of duty, for use solely in connection with that
14 action or hearing. Information disclosed under this subdivision
15 shall be returned not later than 10 days after the conclusion of
16 the action or hearing. A recipient shall not receive further
17 disclosures under this subdivision while he or she retains
18 disclosed information beyond the deadline specified for return.

19 [(V) A FEDERAL OR STATE GOVERNMENTAL AGENCY THAT MAY, BY LAW,
20 CONDUCT AN AUDIT OR SIMILAR REVIEW OF THE DEPARTMENT'S ACTIVITIES UNDER
21 THIS ACT.

22

23

24

25

26

]

27 (3) Subject to subsection (9), a person or entity to whom

1 information described in subsection (2) is disclosed shall make the
2 information available only to a person or entity described in
3 subsection (2). This subsection does not require a court proceeding
4 to be closed that otherwise would be open to the public.

5 (4) If the department classifies a report of suspected child
6 abuse or child neglect as a central registry case, the department
7 shall maintain a record in the central registry and, within 30 days
8 after the classification, shall notify in writing each person who
9 is named in the record as a perpetrator of the child abuse or child
10 neglect. The notice shall be sent by registered or certified mail,
11 return receipt requested, and delivery restricted to the addressee.
12 The notice shall set forth the person's right to request expunction
13 of the record and the right to a hearing if the department refuses
14 the request. The notice shall state that the record may be released
15 under section 7d. The notice shall not identify the person
16 reporting the suspected child abuse or child neglect.

17 (5) A person who is the subject of a report or record made
18 under this act may request the department to amend an inaccurate
19 report or record from the central registry and local office file. A
20 person who is the subject of a report or record made under this act
21 may request the department to expunge from the central registry a
22 report or record by requesting a hearing under subsection (6). A
23 report or record filed in a local office file is not subject to
24 expunction except as the department authorizes, if considered in
25 the best interest of the child.

26 (6) A person who is the subject of a report or record made
27 under this act may, within 180 days from the date of service of

1 notice of the right to a hearing, request the department hold a
2 hearing to review the request for amendment or expunction. If the
3 hearing request is made within 180 days of the notice, the
4 department shall hold a hearing to determine by a preponderance of
5 the evidence whether the report or record in whole or in part
6 should be amended or expunged from the central registry. The
7 hearing shall be held before a hearing officer appointed by the
8 department and shall be conducted as prescribed by the
9 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
10 24.328. The department may, for good cause, hold a hearing under
11 this subsection if the department determines that the person who is
12 the subject of the report or record submitted the request for a
13 hearing within 60 days after the 180-day notice period expired.

14 (7) If the investigation of a report conducted under this act
15 does not show child abuse or child neglect by a preponderance of
16 evidence, or if a court dismisses a petition based on the merits of
17 the petition filed under section 2(b) of chapter XIIA of the
18 probate code of 1939, 1939 PA 288, MCL 712A.2, because the
19 petitioner has failed to establish that the child comes within the
20 jurisdiction of the court, the information identifying the subject
21 of the report shall be expunged from the central registry. If a
22 preponderance of evidence of abuse or neglect exists, or if a court
23 takes jurisdiction of the child under section 2(b) of chapter XIIA
24 of the probate code of 1939, 1939 PA 288, MCL 712A.2, the
25 department shall maintain the information in the central registry
26 as follows:

27 (a) Except as provided in subdivision (b), for a person listed

1 as a perpetrator in category I or II under section 8d, either as a
2 result of an investigation or as a result of the reclassification
3 of a case, the department shall maintain the information in the
4 central registry for 10 years.

5 (b) For a person listed as a perpetrator in category I or II
6 under section 8d that involved any of the circumstances listed in
7 section 17(1) or 18(1), the department shall maintain the
8 information in the central registry until the department receives
9 reliable information that the perpetrator of the abuse or neglect
10 is dead. For the purpose of this subdivision, "reliable
11 information" includes, but is not limited to, information obtained
12 using the United States social security death index database.

13 (c) For a person who is the subject of a report or record made
14 under this act before ~~the effective date of the amendatory act that~~
15 ~~added this subdivision,~~ **MARCH 31, 2015** the following applies:

16 (i) Except as provided in subparagraph (ii), for a person
17 listed as perpetrator in category I or II under section 8d either
18 as a result of an investigation or as a result of the
19 reclassification of a case, the department may remove the
20 information for a person described in this subparagraph after 10
21 years without a request for amendment or expunction.

22 (ii) For a person listed as a perpetrator in category I or II
23 under section 8d that involved any of the circumstances listed in
24 section 17(1) or 18(1), the department shall maintain the
25 information in the central registry until the department receives
26 reliable information that the perpetrator of the child abuse or
27 child neglect is dead. For the purpose of this subparagraph,

1 "reliable information" includes, but is not limited to, information
2 obtained using the United States social security death index
3 database.

4 (8) In releasing information under this act, the department
5 shall not include a report compiled by a police agency or other law
6 enforcement agency related to an ongoing investigation of suspected
7 child abuse or child neglect. This subsection does not prohibit the
8 department from releasing reports of convictions of crimes related
9 to child abuse or child neglect.

10 (9) A member or staff member of a citizen review panel shall
11 not disclose identifying information about a specific child
12 protection case to an individual, partnership, corporation,
13 association, governmental entity, or other legal entity. A member
14 or staff member of a citizen review panel is a member of a board,
15 council, commission, or statutorily created task force of a
16 governmental agency for the purposes of section 7 of 1964 PA 170,
17 MCL 691.1407. Information obtained by a citizen review panel is not
18 subject to the freedom of information act, 1976 PA 442, MCL 15.231
19 to 15.246.

20 (10) Documents, reports, or records authored by or obtained
21 from another agency or organization shall not be released or open
22 for inspection under subsection (2) unless required by other state
23 or federal law, in response to an order issued by a judge,
24 magistrate, or other authorized judicial officer, or unless the
25 documents, reports, or records are requested for a child abuse or
26 child neglect case or for a criminal investigation of a child abuse
27 or child neglect case conducted by law enforcement.