

SENATE BILL No. 902

April 20, 2016, Introduced by Senator MARLEAU 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 section 10 (MCL 722.120), as amended by 2006 PA 206.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) The department may investigate and examine
2 conditions of a child care organization in which a licensee
3 receives, maintains, or places out children, and may investigate
4 and examine the books and records of the licensee. The licensee
5 shall admit members of the department and furnish all reasonable
6 facilities for thorough examination of its books, records, and
7 reports. The department, ~~of community health,~~ the bureau of fire
8 services, or local authorities, in carrying out the provisions of

1 this act, may visit a child care organization to advise in matters
2 affecting the health or fire protection of children.

3 (2) A licensee shall keep the records the department
4 prescribes regarding each child in its control and care and shall
5 report to the department, when requested, the facts the department
6 requires with reference to the children upon forms furnished by the
7 department. Except as otherwise provided in this subsection,
8 records regarding children and facts compiled about children and
9 their parents and relatives are confidential and disclosure of this
10 information shall be properly safeguarded by the child care
11 organization, the department, and any other entity in possession of
12 the information. Records that are confidential under this section
13 are available to ~~both~~ **ALL** of the following:

14 (a) A standing or select committee or appropriations
15 subcommittee of either house of the legislature having jurisdiction
16 over protective services matters for children, ~~pursuant to~~ **UNDER**
17 section 7 of the child protection law, 1975 PA 238, MCL 722.627.

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

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

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.