

# Legislative Analysis

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## MANDATORY REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5659 as introduced**  
**Sponsor: Rep. Beth Griffin**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 5796 as introduced**  
**Sponsor: Rep. Kristy Pagan**

**Committee: Law and Justice**  
**Complete to 4-27-18**

### SUMMARY:

House Bills 5659 and 5796 would amend the Child Protection Law to add persons employed in a professional capacity at a postsecondary educational institution to the list of individuals who are required to report suspected child abuse or neglect, and to require the Department of Health and Human Services (DHHS) to develop training standards for all individuals required to report suspected child abuse or neglect.

Currently under the statute, certain school personnel and medical professionals who have reasonable cause to suspect child abuse or neglect are required to make an immediate report. The statute includes a detailed method for reporting the abuse and notifying the DHHS.

House Bill 5659 would add individuals employed in a professional capacity at a postsecondary educational institution, as well as individuals who are paid to, or who volunteer to, conduct or assist in conducting *K-12 or postsecondary interscholastic athletic activities* or *youth recreational athletic activities*, which would include a coach, assistant coach, or athletic trainer, to the list of those who are required to report suspected child abuse or neglect.

*K-12 or postsecondary interscholastic athletic activity* would mean a K-12 or postsecondary school program or event (including practice and competition), during which youth athletes participate or practice to participate in an organized athletic game or competition against another K-12 or postsecondary school, team, club, entity, or individual.

*Youth recreational athletic activity* would mean a program or event (including practice and competition) that is *not* associated with a school, during which youth athletes participate or practice to participate in an organized athletic game or competition against another K-12 or postsecondary school, team, club, entity, or individual. Such activities would include, but would not be limited to, athletic activities sponsored by a recreation center, community center, or private sports club.

MCL 722.623

**House Bill 5796** would direct the Department of Health and Human Services (DHHS) to consult with the Michigan Domestic and Sexual Violence Prevention and Treatment Board and the Michigan Coalition to End Domestic Violence to develop training standards for all individuals required to report suspected child abuse or neglect. A training package would have to be developed and ready for distribution no later than 180 days after the effective date of the bill. The bill would allow the DHHS to make training packages available in a hard copy form and in an electronic form.

The bill would require employers or organizations to provide the training package to their paid workers or volunteers who are required to report suspected child abuse or neglect. However, this requirement would not apply regarding an individual who already received training similar to the training developed above.

Proposed MCL 722.623b

Each bill would take effect 90 days after enactment.

#### **FISCAL IMPACT:**

**House Bill 5659** would extend reporting requirements to additional individuals in certain professions or volunteer positions. Due to the possibility of additional investigations, the bill's provisions may increase costs to the DHHS Children's Protective Services (CPS) program, which investigates allegations of abuse or neglect by a caretaker of a child under the age of 18. A caretaker is defined as any person responsible for the child's health or welfare.

If a neglect or abuse allegation is against a child's caretaker, then the DHHS has investigatory authority. In FY 2016-17, the CPS performed 90,776 investigations of child abuse or neglect. Of those investigations, 28%, or 25,709, were substantiated for evidence of abuse and/or neglect. If the allegation is against anyone else other than a caretaker, then law enforcement agencies would have the responsibility to investigate, which could, in some instances, increase costs to local governments.

**House Bill 5796** would have a minimal fiscal impact on the State of Michigan. According to the Department of Health and Human Services, because the Department has already developed and posted mandatory reporter training materials and resources on the DHHS website, the cost of the bill's provisions that would require the Department to develop a thorough and comprehensive training package for mandatory reporters of child abuse or child neglect would be minimal. Since the Department would be making these materials available, there would be no significant fiscal impact to local units of government.

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