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House Bill 4108 (as passed by the House)
Sponsor: Representative Roger Hauck
House Committee: Families, Children and Seniors
Judiciary
Senate Committee: Families, Seniors and Veterans

Date Completed: 10-22-19

CONTENT

The bill would amend the Child Protection Law to extend reporting requirements to physical therapists and physical therapist assistants.

The Law requires individuals in various professions or occupations to report to the Department of Health and Human Services if they have reasonable cause to suspect child abuse or child neglect. These individuals, commonly referred to as "mandated reporters", include medical professionals, marriage therapists, licensed counselors, social workers, social service technicians, law enforcement officers, members of the clergy, and regulated child care providers. The bill would add physical therapists and physical therapist assistants.

(A mandated reporter is required to make an immediate report to centralized intake by telephone or, if available, through the online reporting system. Within 72 hours after making an oral report by telephone, the person must file a written report. If the immediate report is made using the online system, and it includes the information required in a written report, the online report is considered a written report. A written or online report must contain the name of the child and a description of the child abuse or neglect. If possible, the report must include the name of the child's parents, the child's guardian, the people the child lives with, and the child's age. The report also must contain other information available to the reporting person that might establish the cause of the abuse or neglect, and the manner in which it occurred.)

The bill would take effect 90 days after its enactment.

MCL 722.623

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill could increase costs to the Child Protective Services (CPS) unit within the DHHS associated with investigating reports of suspected abuse or neglect made by the people required to report under the bill. There could be an uncertain increase in costs to local government if suspected abuse or neglect were committed by a person who was responsible for the health and welfare of the child and were determined to be a criminal violation necessitating an investigation by law enforcement.

Additionally, if the suspected abuse or neglect were committed by someone other than a parent, a legal guardian, or any other person responsible for the child's health or welfare or

by a teacher, a teacher's aide, or a member of the clergy, the investigation would be in the jurisdiction of law enforcement rather than CPS. The CPS unit has a mandate to investigate harm or threatened harm to a child's health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment. Investigations of abuse or neglect committed by a person other than someone who is responsible for the child's health or welfare could increase costs to local government and law enforcement.

Fiscal Analyst: John Maxwell

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