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House Bill 4376 (Substitute H-1 as passed by the House)
House Bill 4377 (as passed by the House)
Sponsor: Representative Beth Griffin
Representative Kristy Pagan
House Committee: Judiciary
Senate Committee: Judiciary and Public Safety

Date Completed: 12-10-20

CONTENT

House Bill 4376 (H-1) would amend the Child Protection Law to include athletic trainers among the individuals required to report to the Department of Health and Human Services (DHHS) if they have reasonable cause to suspect child abuse or neglect.

House Bill 4377 would amend the Child Protection Law to do the following:

- **Require the DHHS to create training materials for individuals required to report suspected child abuse or neglect and make the materials publicly available on its website.**
- **Require an employer or organization to provide the training materials to an employee who was required to report.**

Each bill would take effect 90 days after its enactment.

House Bill 4376 (H-1)

The Child Protection Law requires medical professionals, marriage therapists, licensed counselors, social workers, social service technicians, school counselors, professionals employed in a friend of the court office, school administrators, teachers, law enforcement officers, members of the clergy, and regulated child care providers to report to the Department of Health and Human Services if they have reasonable cause to suspect child abuse or neglect. (These individuals are commonly referred to as "mandated reporters".)

The bill would include and athletic trainers in the list of mandated reporters.

House Bill 4377

The bill would require the Department of Health and Human Services, in consultation with the Michigan Domestic and Sexual Violence Prevention and Treatment Board and the Michigan Coalition to End Domestic and Sexual Violence, to create comprehensive training materials for individuals who are required to report suspected child abuse or neglect, within 180 days after the bill's effective date.

An employer or organization that employed a mandated reporter would have to provide the training materials to that employee, unless the employer or organization provided its own training that was similar in substance to the training materials provided by the DHHS.

The Department would have to make the training materials publicly available on its website in addition to any other form that the DHHS chose.

MCL 722.623 (H.B. 4376)
Proposed MCL 722.623b (H.B. 4377)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

House Bill 4376 (H-1)

The bill would have a negative fiscal impact on the DHHS. Because the bill would require that athletic trainers report suspected child abuse or child neglect to Children's Protective Services (CPS) within the DHHS, there could be additional investigations. Children's Protective Services has the authority to investigate allegations of abuse or neglect by a caretaker of a child under the age of 18. If the allegation is made against someone other than a caretaker, then the investigative authority would rest with a law enforcement agency and could increase costs to local governments. In fiscal year 2018-19, the CPS investigated 95,868 cases of child abuse or neglect. Of those investigations, 72.7%, or 69,696 cases, were reported by a mandatory reporter and 27.3%, or 26,172 cases, were reported by nonmandatory reporters.

House Bill 4377

The bill would likely result in a minor fiscal impact on to the DHHS. Information provided by DHHS indicates that, because the Department has developed and posted mandatory reporter training materials and resources on its website, the cost to create comprehensive training materials for mandatory reporters would be minimal. The DHHS will make these materials available; accordingly, there would be no fiscal impact on local units of government.

Fiscal Analyst: John Maxwell

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.