

Legislative Analysis



MANDATORY REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT

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<http://www.house.mi.gov/hfa>

House Bill 4880 as referred to second committee
Sponsor: Rep. Roger Hauck
1st Committee: Families, Children, and Seniors
2nd Committee: Judiciary
Complete to 8-2-21

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

SUMMARY:

House Bill 4880 would amend the Child Protection Law to add physical therapists, physical therapist assistants, occupational therapists, and athletic trainers to the list of individuals required to report suspected child abuse or child neglect.

Currently under the act, certain school personnel and medical professionals who have reasonable cause to suspect child abuse or child neglect are required to make an immediate report.¹ The act includes a detailed method for reporting the abuse and notifying the Department of Health and Human Services (DHHS).

The bill would add physical therapists, physical therapist assistants, occupational therapists, and athletic trainers to the list of those who are required to report suspected child abuse or child neglect.

The bill would take effect 90 days after its enactment.

MCL 722.623

FISCAL IMPACT:

House Bill 4880 would extend mandatory reporting requirements to physical therapists, physical therapist assistants, occupational therapists, and athletic trainers. 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. Currently within the CPS program, DHHS has 1,605 investigators who each carry a caseload of 12 cases for each investigator. Ongoing CPS caseworkers each carry a caseload of 15 cases for each worker. The amount of any increase in costs to the department would depend upon the number of additional complaints to be investigated.

¹Individuals currently required to make such a report include law enforcement officers, members of the clergy, school counselors or teachers, school administrators, physicians, nurses, physician's assistants, persons licensed to provide emergency medical care, dentists, registered dental hygienists, medical examiners, audiologists, psychologists, marriage and family therapists, licensed professional counselors, social workers, licensed master's social workers, licensed bachelor's social workers, social service technicians, registered social service technicians, persons employed in a professional capacity in any office of the Friend of the Court, and regulated child care providers.

If a neglect or abuse allegation is against a child's caretaker, then DHHS has investigatory authority. 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.

In FY 2019-20, the CPS investigated 70,242 reports of child abuse or neglect. Of those investigations, 71.6%, or 50,274 cases, were reported by a mandatory reporter, and 28.4%, or 19,968 cases, were reported by non-mandatory reporters. After investigations were performed, approximately 24% of these cases, approximately 17,557, were substantiated for evidence of some level of abuse and/or neglect.

POSITIONS:

A representative of the American Physical Therapy Association of Michigan testified in support of the bill. (6-15-21)

The following entities and organizations indicated support for the bill (6-15-21):

- Michigan Athletic Trainers Society
- Michigan Catholic Conference
- Michigan Council for Maternal Child Health
- Michigan Occupational Therapy Association

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.