

## TRAINING MATERIALS FOR MANDATED REPORTERS OF SUSPECTED CHILD ABUSE OR NEGLECT

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**House Bill 4120 as enacted**  
**Public Act 46 of 2023**  
**Sponsor: Rep. Julie Rogers**  
**Committee: Judiciary**  
**Complete to 7-10-23**

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

**BRIEF SUMMARY:** House Bill 4120 amends the Child Protection Law to require the creation of comprehensive training materials for individuals required to report suspected child abuse or neglect.

**FISCAL IMPACT:** The bill would have a minimal fiscal impact on state expenditures to the Department of Health and Human Services (DHHS). The department currently has training materials and resources for court mandated reporters of child abuse and neglect available on its website. The fiscal impact of the bill would depend upon the cost of revising or replacing current training programs. Since the department would be making training materials available, there would be no significant fiscal impact on local units of government.

### **THE APPARENT PROBLEM:**

The Child Protection Law requires certain individuals to report to the Children's Protective Services (CPS) program in DHHS if they have reasonable cause to suspect child abuse or child neglect. These individuals are commonly referred to as mandated (or mandatory) reporters. Mandated reporters include teachers, school counselors, school administrators, medical professionals, social workers, licensed counselors, social service technicians, marriage therapists, professionals employed in a Friend of the Court office, law enforcement officers, members of the clergy, and regulated child care providers.<sup>1</sup> The act provides a detailed method for reporting the abuse and notifying DHHS. However, some say the reporting provisions in the Child Protection Law are difficult to understand. In addition, some professionals are not aware that they are mandated reporters. Legislation was offered to require DHHS to develop and post information that would better train individuals on reporting requirements and how to report a suspected case of child abuse or neglect.

### **THE CONTENT OF THE BILL:**

The bill adds a new section to the Child Protection Law to require the creation of comprehensive training materials for mandated reporters. DHHS, in consultation with the Michigan Domestic and Sexual Violence Prevention and Treatment Board and the Michigan Coalition to End Domestic and Sexual Violence, must create the materials by March 26, 2024 (180 days after the bill's effective date). DHHS must make the training materials publicly available on its website, in addition to any other form it chooses.

Employers or organizations that employ mandated reporters must provide the training materials to those employees. However, this requirement does not apply to an employer or organization

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<sup>1</sup> <https://www.michigan.gov/mdhhs/adult-child-serv/abuse-neglect/childrens/mandated-reporters/mandated-reporters-list>

that provides its own employee training that is updated annually based on the training materials created by DHHS under the bill.

The bill takes effect September 27, 2023.

Proposed MCL 722.623b

***BACKGROUND:***

House Bill 4120 is a reintroduction of HB 4854 of the 2021-22 legislative session, HB 4377 of the 2019-20 legislative session, and HB 5796 of the 2017-18 legislative session. Each of those bills was passed by the House of Representatives.

The bill is part of a larger package of bills to address sexual assault that was originally introduced following the revelation of hundreds of instances in which Larry Nassar, a nationally known physician employed by Michigan State University who also provided medical treatments to members of the USA Olympics women’s gymnastics team, was found to have engaged in practices that constituted criminal sexual conduct.

***ARGUMENTS:***

***For:***

Reportedly, many find the law on who needs to report suspected child abuse or child neglect, and how a report is to be made, confusing. Some professionals do not even realize they are designated mandated reporters. As a result, cases are often underreported or overreported. Supporters argue that the bill will bring clarity to mandated reporters and uniformity in reporting by requiring DHHS to develop training materials that make the process more understandable. In particular, the training materials should help mandated reporters and members of the general public recognize the forms that physical and sexual abuse and neglect can take. For instance, it was revealed during the investigation and trial of Larry Nassar that even some in law enforcement were unsure how to tell sexual abuse from a medical procedure.

By some estimates, over half of all incidents of suspected abuse and neglect are currently not being properly reported. Requiring DHHS to make the materials available on its website will provide easier public access and should help increase the number of suspected incidents being reported. The bill’s requirement that the Michigan Coalition to End Domestic and Sexual Violence assist with developing the materials should ensure that the materials are up-to-date and effective. Placing the requirements in statute should ensure continuity of information regarding reporting of abuse even if departmental duties change and evolve over time. Further, by requiring employers, such as law enforcement, schools, and medical clinics, to provide the training package to employees, more mandated reporters will be prepared to recognize the signs of abuse and neglect and know how to report the information and to whom. Supporters argue that increasing the understanding of what abuse and neglect is, and empowering people to report it, is an effective way to protect children from those who are harming them.

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