

# HOUSE BILL No. 4128

January 25, 2007, Introduced by Reps. Stakoe, Meekhof, Gaffney, Emmons, Wenke and Knollenberg and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 2977. (1) A PARENT WHO HAS COMMITTED CHILD ABUSE OR CHILD  
2           NEGLECT IS LIABLE IN A CIVIL ACTION FOR THE COST OF ANY TREATMENT  
3           FOR PHYSICAL OR PSYCHOLOGICAL INJURIES SUSTAINED BY THE CHILD AS A  
4           RESULT OF THE ABUSE OR NEGLECT.

5           (2) A PARENT IS LIABLE UNDER THIS SECTION REGARDLESS OF  
6           WHETHER THE CHILD IS A MINOR AT THE TIME THE TREATMENT IS PROVIDED.

7           (3) A PARENT IS LIABLE TO ANY OF THE FOLLOWING UNDER THIS  
8           SECTION:

9           (A) THE CHILD.

10          (B) THE OTHER PARENT OF THE CHILD, IF THE OTHER PARENT HAS

1 PAID OR IS LIABLE FOR THE COST OF THE TREATMENT, UNLESS THE OTHER  
2 PARENT IS DETERMINED TO ALSO BE RESPONSIBLE FOR THE ABUSE OR  
3 NEGLECT.

4 (C) THE INDIVIDUAL WHO PROVIDED THE TREATMENT OR ANY LEGAL  
5 ENTITY OR HEALTH FACILITY OR AGENCY BY WHICH THE INDIVIDUAL IS  
6 EMPLOYED OR THROUGH WHICH THE TREATMENT WAS PROVIDED.

7 (D) AN INSURANCE COMPANY OR OTHER LEGAL ENTITY THAT HAS PAID  
8 THE COST OF THE TREATMENT.

9 (4) AS USED IN THIS SECTION, "CHILD ABUSE" AND "CHILD NEGLECT"  
10 MEAN THOSE TERMS AS DEFINED IN SECTION 2 OF THE CHILD PROTECTION  
11 LAW, 1975 PA 238, MCL 722.622.