

Legislative Analysis



INFORMATION ON DEATH OF CHILD

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House Bill 4386 as introduced
Sponsor: Rep. Gail Haines
Committee: Families, Children, and Seniors

Complete to 5-24-11

A SUMMARY OF HOUSE BILL 4386 AS REPORTED FROM COMMITTEE

The bill would amend the Child Protection Law to make certain information available to a court that had jurisdiction over a child in a suspected child abuse or neglect case, in the event of the child's death.

Currently under the law, a written report, document, or photograph filed with the department is a confidential record available only to certain government agencies, law enforcement officials, and other specified entities, including a court that determines the information is necessary to decide an issue before the court.

House Bill 4386 would also make the information available to a court that had jurisdiction over a child under Section 2(b) of the Juvenile Code, in the event of the child's death.

[Note: Section 2(b) grants the Family Division of Circuit Court jurisdiction in proceedings involving a juvenile under the age of 18 whose parent or legal guardian neglects to provide proper or necessary support, education, medical, surgical or other necessary care; who is subject to a substantial risk of harm to his or her mental well-being; who is abandoned by his or her parents or guardian; or who is without proper custody or guardianship. The court also has jurisdiction over a juvenile whose home or environment is an unfit place to live in because of a parent's or guardian's neglect, cruelty, drunkenness, criminality, or depravity; or whose parent has substantially failed, without good cause, to comply with a limited guardianship plan or a court-structured plan.]

FISCAL IMPACT:

The bill would have no fiscal impact on state or local government.

BACKGROUND INFORMATION:

This bill is one of a package of bills (House Bills 4384-4387) that proponents have said is aimed at revising procedures for investigating the death of a child who was under the jurisdiction of a court or was subject of child abuse and neglect investigations; improving communication between public agencies and public officials; aggregating information into a database of child deaths, available to officials and the general public; and helping

public officials identify systemic problems that may be leading to the death of children. Each bill is summarized separately.

POSITIONS:

Department of Human Services supports the bill. (5-17-11)

National Association of Social Workers-MI Chapter supports the bill. (5-17-11)

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