

# HOUSE BILL NO. 6191

November 26, 2024, Introduced by Rep. Skaggs and referred to the Committee on Families, Children and Seniors.

A bill to amend 1975 PA 238, entitled  
"Child protection law,"  
by amending section 3 (MCL 722.623), as amended by 2022 PA 66.

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

1           Sec. 3. (1) An individual is required to report under this act  
2 as follows:

3           (a) A physician, dentist, physician's assistant, registered  
4 dental hygienist, medical examiner, nurse, person licensed to  
5 provide emergency medical care, audiologist, psychologist, physical

1 therapist, physical therapist assistant, occupational therapist,  
2 athletic trainer, marriage and family therapist, licensed  
3 professional counselor, social worker, licensed master's social  
4 worker, licensed bachelor's social worker, registered social  
5 service technician, social service technician, ~~a~~ person employed in  
6 a professional capacity in any office of the friend of the court,  
7 school administrator, school counselor or teacher, **school employee**  
8 **or individual who is assigned to regularly and continuously work**  
9 **under contract at a school**, law enforcement officer, member of the  
10 clergy, or regulated child care provider who has reasonable cause  
11 to suspect child abuse or child neglect shall make an immediate  
12 report to centralized intake by telephone, or, if available,  
13 through the online reporting system, of the suspected child abuse  
14 or child neglect. Within 72 hours after making an oral report by  
15 telephone to centralized intake, the reporting person shall file a  
16 written report as required ~~in~~ **under** this act. If the immediate  
17 report has been made using the online reporting system and that  
18 report includes the information required in a written report under  
19 subsection (2), that report is considered a written report for the  
20 purposes of this section and no additional written report is  
21 required. If the reporting person is a member of the staff of a  
22 hospital, agency, or school, the reporting person shall notify the  
23 person in charge of the hospital, agency, or school of ~~his or her~~  
24 **the reporting person's** finding and that the report has been made,  
25 and shall make a copy of the written or electronic report available  
26 to the person in charge. A notification to the person in charge of  
27 a hospital, agency, or school does not relieve the member of the  
28 staff of the hospital, agency, or school of the obligation of  
29 reporting to the department as required ~~by~~ **under** this section. One

1 report from a hospital, agency, or school is adequate to meet the  
 2 reporting requirement. A member of the staff of a hospital, agency,  
 3 or school shall not be dismissed or otherwise penalized for making  
 4 a report required ~~by~~**under** this act or for cooperating in an  
 5 investigation. **As used in this subdivision, "regularly and**  
 6 **continuously work under contract" means that term as defined in**  
 7 **section 1230 of the revised school code, 1976 PA 451, MCL 380.1230.**

8 (b) A department employee who is 1 of the following and has  
 9 reasonable cause to suspect child abuse or child neglect shall make  
 10 a report of suspected child abuse or child neglect to the  
 11 department in the same manner as required under subdivision (a):

- 12 (i) Eligibility specialist.
- 13 (ii) Family independence manager.
- 14 (iii) Family independence specialist.
- 15 (iv) Social services specialist.
- 16 (v) Social work specialist.
- 17 (vi) Social work specialist manager.
- 18 (vii) Welfare services specialist.

19 (c) Any employee of an organization or entity that, as a  
 20 result of federal funding statutes, regulations, or contracts,  
 21 would be prohibited from reporting in the absence of a state  
 22 mandate or court order. A person required to report under this  
 23 subdivision shall report in the same manner as required under  
 24 subdivision (a).

25 (2) The written report or a report made using the online  
 26 reporting system must contain the name of the child and a  
 27 description of the child abuse or child neglect. If possible, the  
 28 report ~~shall~~**must** contain the names and addresses of the child's  
 29 parents, the child's guardian, the persons with whom the child

1 resides, and the child's age. The report ~~shall~~**must** contain other  
2 information available to the reporting person that might establish  
3 the cause of the child abuse or child neglect, and the manner in  
4 which the child abuse or child neglect occurred.

5 (3) The department shall inform the reporting person of the  
6 required contents of the written report at the time the oral report  
7 is made by the reporting person.

8 (4) The written report required in this section must be mailed  
9 or otherwise transmitted to centralized intake.

10 (5) Upon receipt of a written report of suspected child abuse  
11 or child neglect, the department may provide copies to the  
12 prosecuting attorney and the probate court of the counties in which  
13 the child suspected of being abused or neglected resides and is  
14 found.

15 (6) If an allegation, written report, or subsequent  
16 investigation of suspected child abuse or child neglect indicates a  
17 violation of section 136b, 145c, 462a to 462h, or 520b to 520g of  
18 the Michigan penal code, 1931 PA 328, MCL 750.136b, 750.145c,  
19 750.462a to 750.462h, and 750.520b to 750.520g, or a violation of  
20 section 7401c of the public health code, 1978 PA 368, MCL  
21 333.7401c, involving methamphetamine has occurred, or if the  
22 allegation, written report, or subsequent investigation indicates  
23 that the suspected child abuse or child neglect was committed by an  
24 individual who is not a person responsible for the child's health  
25 or welfare, including, but not limited to, a member of the clergy,  
26 a teacher, a teacher's aide, or an individual 18 years of age or  
27 older who is involved in a youth program, the department must  
28 transmit a copy of the allegation or written report and the results  
29 of any investigation to a law enforcement agency in the county in

1 which the incident occurred. If an allegation, written report, or  
2 subsequent investigation indicates that the individual who  
3 committed the suspected child abuse or child neglect is a child  
4 care provider and the department believes that the report has basis  
5 in fact, the department shall, within 24 hours after completion of  
6 the allegation, written report, or subsequent investigation,  
7 transmit a copy of the written report or the results of the  
8 investigation to the child care regulatory agency with authority  
9 over the child care provider's child care organization or adult  
10 foster care location authorized to care for a child.

11 (7) If a local law enforcement agency receives an allegation  
12 or written report of suspected child abuse or child neglect or  
13 discovers evidence of or receives a report of an individual  
14 allowing a child to be exposed to or to have contact with  
15 methamphetamine production, and the allegation, written report, or  
16 subsequent investigation indicates that the child abuse or child  
17 neglect or allowing a child to be exposed to or to have contact  
18 with methamphetamine production, was committed by a person  
19 responsible for the child's health or welfare, the local law  
20 enforcement agency shall refer the allegation or provide a copy of  
21 the written report and the results of any investigation to the  
22 county department of the county in which the abused or neglected  
23 child is found, as required by subsection (1)(a). If an allegation,  
24 written report, or subsequent investigation indicates that the  
25 individual who committed the suspected child abuse or child neglect  
26 or allowed a child to be exposed to or to have contact with  
27 methamphetamine production, is a child care provider and the local  
28 law enforcement agency believes that the report has basis in fact,  
29 the local law enforcement agency shall transmit a copy of the

1 written report or the results of the investigation to the child  
2 care regulatory agency with authority over the child care  
3 provider's child care organization or adult foster care location  
4 authorized to care for a child. Neither this subsection nor  
5 subsection (1) relieves the department of its responsibilities to  
6 investigate reports of suspected child abuse or child neglect under  
7 this act.

8 (8) For purposes of this act, the pregnancy of a child less  
9 than 12 years of age or the presence of a sexually transmitted  
10 infection in a child who is over 1 month of age but less than 12  
11 years of age is reasonable cause to suspect child abuse or child  
12 neglect has occurred.

13 (9) In conducting an investigation of child abuse or child  
14 neglect, if the department suspects that a child has been exposed  
15 to or has had contact with methamphetamine production, the  
16 department shall immediately contact the law enforcement agency in  
17 the county in which the incident occurred.