

Legislative Analysis



RELEASE TO DHHS OF MENTAL HEALTH RECORDS AND MANDATED REPORTER CONTINUING TRAINING

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4530 as introduced
Sponsor: Rep. Laurie Pohutsky

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

House Bill 4531 as introduced
Sponsor: Rep. Angela Rigas

Committee: Families and Veterans
Complete to 10-27-25

SUMMARY:

House Bill 4530 would amend the Mental Health Code to require a mental health professional to release relevant mental health records to Department of Health and Human Services (DHHS) employees conducting a child abuse or neglect investigation no later than seven days after receiving a request for the records.¹

The code allows a caseworker or administrator involved in a child abuse or child neglect investigation that involves someone who has received services from a mental health professional to request relevant records from that professional if there is a compelling need for the records to determine whether child abuse or child neglect has occurred or to take action to protect a minor when there may be a substantial risk of harm. Upon receiving notice of an investigation and a request for records, the mental health professional must review their files to determine what, if any, records are pertinent to that investigation. Records released under these provisions are not subject to a health professional–patient privilege.

Under current law, the mental health professional must provide the applicable records to the caseworker or administrator no later than 14 days after the request. The bill would change this time frame to seven days.

MCL 330.1748a

House Bill 4531 would amend the Child Protection Law to require all mandatory reporters of child abuse and neglect² to complete, once every three years, training developed by DHHS in recognizing child abuse and child neglect and in mandated reporting obligations.

MCL 772.629

House Bills 4530 and 4531 are tie-barred to each other. which means that neither bill would take effect unless both bills were enacted.

¹ For both current law and the bill, *records* includes all types of information, not just formal case files and records.

² Under section 3 of the act: <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-722-623>

FISCAL IMPACT:

House Bill 4530 would have a negligible fiscal impact and the state and local units of government. The primary local units of government that would have to release pertinent mental health records within seven days rather than 14 days would be the community mental health services programs (CMHSPs).

House Bill 4531 would have a likely minimal fiscal impact on the Department of Health and Human Services and local units of government. Local DHHS offices provide training opportunities for mandated reporters, and training materials are also provided on the DHHS website. Any fiscal impact of the bill would be dependent on the administrative cost of providing a greater number of training courses to all mandated reports.

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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.