



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING



MARIANNE UDOW
DIRECTOR

August 20, 2007

The Honorable Bill Hardiman, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, Michigan 48933

The Honorable Dudley Spade, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, Michigan 48933

Dear Senator Hardiman and Representative Spade:

The enclosed reports are provided pursuant to PA 345 of 2006 Section 514, the Department of Human Services (DHS) Fiscal Year 2007 Appropriations Act, and Sections 722.629a and 722.628d (5) & (6) of 1975 PA 238, the Child Protection Law. These sections require that DHS provide information on Children's Protective Services (CPS) statistical data, and a list of significant CPS policies implemented in the proceeding fiscal year.

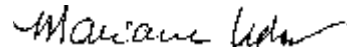
The enclosed information includes the following:

1. [2006 Trends Summary Report.](#)
2. [A listing of Children's Protective Services program definitions.](#)
3. [The total number of reports of abuse or neglect received, investigated, and substantiated in from 1996-2006.](#)
4. [Screened-out complaints trends.](#)
5. [The number of cases classified under abuse/neglect categories I through V.](#)
6. [The number of cases in category III that escalated to category I or II.](#)
7. ["Victims of Abuse and Neglect" report, which includes a breakdown of the age, race, and gender of child victims.](#)
8. ["Perpetrators of Abuse and Neglect" report, which includes the perpetrator's relationship to the victim\(s\) and the type of abuse/neglect substantiated \(listed on central registry\).](#)

9. "Source of Complaints" report, which includes both mandated and non-mandated reporters, their relationship to the victim, and the percentage of their complaints that are substantiated.
10. A listing of significant CPS policy changes and law changes effective in 2006.

If you have any questions, comments, or would like additional information, please contact Ted Forrest at (517) 335-3704.

Sincerely,



Marianne Udow

cc: Senate and House Appropriations Subcommittee on DHS
Senate and House Fiscal Agencies
Senate and House Policy Offices
State Budget Office

Children's Protective Services 2006 Trends Report Summary

The number of children's protective services (CPS) complaints decreased from 128,854 in fiscal year 2005 to 126,690 in fiscal year 2006. Even though slightly fewer cases were assigned for investigation, a higher percentage of investigated cases was confirmed (i.e., a preponderance of evidence of abuse and/or neglect was found). As in previous years, the most frequent reason that complaints were screened out (i.e, not assigned for investigation) was that the complaint did not meet the Child Protection Law's definition of child abuse/neglect. Also during FY 2006, CPS policy and the Child Protection Law were revised to include increased protections for children.

Highlights of the report:

- **CPS Summary Complaint Trends:**
 - The number of complaints steadily increased from 1999-2003, and then declined in 2004, 2005, and 2006. In 2006, complaints decreased by 2,164 over the previous year.
 - The percentage of complaints investigated has increased from 49 percent in 1996 to 55 percent in 2006.
 - A higher percentage of investigations result in a finding of preponderance of evidence. From 1996 to 2006, the percentage of investigations confirmed increased from 20 percent to 25 percent.

- **Screened-Out (Rejected) Complaint Trends:**
 - Over the last four years, the percentage of complaints screened out has remained constant at 37 percent.
 - 57 percent of the screened-out complaints were rejected because they did not meet the Child Protection Law's definition of abuse/neglect.

- **Confirmed Investigations:**
 - Even though there has been a decrease in the number of investigations (76,694 in 2004 to 70,069 in 2006), a higher percentage of investigations were confirmed (23 percent in 2004 to 25 percent in 2006).
 - With the implementation of the five category disposition process the number of perpetrators placed on Central Registry declined beginning in FY 2002 (only categories I and II are placed on Central Registry).

- **Five Category Disposition System:**
 - Since the first year that data became available, the distribution of investigation dispositions has remained consistent. 22 - 25 percent are category I, II, or III (confirmed - preponderance of evidence), and 75 -78 percent are category IV or V (no preponderance of evidence).
 - In 2006, 38 percent of investigations in which a preponderance of evidence is found are low/moderate risk (category III). The perpetrator is not placed on Central Registry.

- **FY 2006 Victims of Abuse Neglect by Race, Gender:**
 - In the 17,523 confirmed investigations in 2006, a total of 28,327 victims were identified (1.6 child victims per family).
 - 51 percent of all victims were female, 49 percent male.
 - 61 percent of all victims were white, 33 percent were black, and 6 percent were a combination of Native American, Asian, Latino, or unknown.
 - 33 percent were under the age of four.

- **Perpetrators of Abuse Neglect:**
 - In approximately 90 percent of all cases the perpetrator is the parent.
 - There are 1.2 perpetrators for every confirmed investigation.

- **Perpetrators and Type of Maltreatment:**
 - Neglect makes up approximately 66 percent of total maltreatments.
 - Physical abuse, sexual abuse, and mental injury make up 22 percent of total maltreatment.
 - Multiple maltreatments make up the remaining 12 percent.

- **Reporting Sources of Complaints:**
 - Law enforcement represents the largest source of mandated reporter complaints (43 percent) that are substantiated.
 - The largest non-mandated reporting source is “anonymous.”

- **Changed Policy and Law in 2006:**
 - To enhance the protection of foster children by requiring that all foster parents found to have perpetrated child abuse/neglect be placed on Central Registry.
 - To require a more thorough review of all situations where a CPS complaint constitutes the third complaint on a family with children under the age of three in the household.
 - To require the involvement of law enforcement and the courts in complaints involving methamphetamine production.

Children's Protective Services Definitions 2006

Assigned for Investigation: A child abuse and/or neglect complaint is assigned to a worker for the interview of family members, victims, etc., and to complete a thorough review of the evidence and circumstances of the complaint. The worker completes the investigation and submits a report of their findings and disposition of the case.

Category Disposition: Developed in July 1999 and fully implemented in FY 2001, the category tiered disposition system was developed to allow more definitive case dispositions and to provide an adequate level of services to families with varied risk levels. The five tiered disposition system definitions:

- **Category V** – CPS investigated and found no evidence of child abuse/neglect; or the family did not cooperate and the court did not require them to cooperate; or the family can not be located.
- **Category IV** - CPS investigated and found there was not a preponderance of evidence of child abuse and/or neglect. CPS may assist the family in accessing community-based services.
- **Category III** – CPS investigated and found there was a preponderance of evidence of child abuse and/or neglect and the risk to children was low or moderate. CPS must assist the family in receiving community-based services commensurate with the risk to the child. The perpetrator is not listed on Central Registry.
- **Category II** – CPS investigated and found a preponderance of evidence of child abuse and/or neglect and the risk to children is high or intensive. CPS must open a protective service case and provide services. The perpetrator is listed on Central Registry.
- **Category I** - CPS found a preponderance of evidence of child abuse and/or neglect and the Child Protection Law or policy requires a petition for court action. The perpetrator is listed on Central Registry.

Central Registry: List of perpetrators who have been substantiated for child abuse and or neglect.

Complaint (Referral): The report taken by a CPS intake worker, entered into a database system at the DHS local office.

Confirmed Investigations: Investigations where a preponderance of evidence of child abuse and/or neglect is found. Includes category I, II, and III case dispositions.

Disposition: The results or findings of a worker's case investigation, submitted in the initial services plan report within 30 days of the complaint date.

Non-Preponderance: The investigation did not find a preponderance of evidence of child abuse and/or neglect. Includes category IV and V case dispositions.

Pending Complaint: Status of a complaint prior to it being assigned for investigation, transferred, or screened out.

Perpetrator: A person responsible for a child's health and welfare that has abused and or neglected that child.

Preponderance: The level of evidence needed to confirm that abuse/neglect occurred; i.e., more evidence (at least 51 percent) indicates that an incident did occur than the evidence that suggests it did not.

Re-Complaint or Re-Referral: A separate case complaint taken on a family recorded in the data system after the original complaint.

Recurrence: The number of child victims that have subsequent victimizations. Usually reported as a rate by dividing the number of children that had subsequent victimization in a given time period by the total number of child victims.

Screened Out (Rejected) Complaint: A complaint that is not assigned for investigation (see page 6 for reasons for screen outs).

Substantiated: Investigations in which a preponderance of evidence of child abuse/neglect is found and the perpetrator is listed on Central Registry. Includes investigations disposed as Category I and II.

Transferred Complaints: A complaint that is transferred to another agency (e.g., law enforcement) for investigation.

Children's Protective Services Complaint Trends

	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Total Complaints Received	124,135	125,049	129,959	127,729	128,982	130,890	133,763	136,603	135,775	128,854	126,690
Transferred Complaints	8,347	7,384	8,474	8,796	9,381	9,437	9,614	11,651	8,650	6,499	7,390
Screened Out Complaints (Rejected)	55,149	54,706	51,971	49,800	50,201	50,669	49,123	49,837	50,431	50,069	48,162
Total Assigned Investigations	60,639	62,959	69,514	69,133	69,400	70,784	75,026	75,115	76,694	72,286	70,069
Confirmed Investigations	12,002	11,570	12,580	13,721	15,210	16,494	16,425	17,052	17,847	16,889	17,523
*Pending Complaints											1,069

- The total number of complaints received steadily increased from 1999-2003, then declined in 2004, 2005 and 2006. Complaints in 2006 decreased by 2,164 over the previous year.
- A higher percentage of complaints are being investigated. Since 1996 the number of complaints assigned for investigation increased from 49 percent to 55 percent.
- More investigations result in a finding of a preponderance of evidence. Since 1996, the number of confirmed investigations increased from 20 percent to 25 percent.

*Pending is the status of the complaint prior to it being assigned, transferred, or screened.

SCREENED OUT COMPLAINTS (Rejected)

	FY2003	FY2004	FY2005	FY2006
1. Already investigated	15%	15%	14%	15%
2. Discounted after preliminary investigation	15%	15%	14%	14%
3. Complaint does not meet Child Protection Law definition of child abuse/neglect	53%	56%	59%	57%
4. No reasonable cause	13%	11%	10%	9%
5. Referring person is unreliable	< 1%	< 1%	< 1%	< 1%
6. Withdrawn with cause	4%	3%	3%	4%
Percentage Totals	100%	100%	100%	100%

A complaint is a report taken by a children's protective services intake worker from a person reporting alleged child abuse and/or neglect. Many complaints are immediately transferred to another agency (i.e. law enforcement for investigation, or Department of Community Health for mental health services). Those complaints that are not transferred are handled in one of two ways. The complaint could be assigned for investigation or the complaint is screened out.

A complaint may be screened out for one of six reasons:

1. Already investigated - The allegation is or already has been investigated or assigned for investigation.
2. Discounted after preliminary investigation - Collateral contacts are made by the department to a reliable person that provides credible information that the suspicions in the complaint are unfounded.
3. Complaint does not meet the Child Protection Law definition of child abuse/neglect - Examples: alleged victim is 18 or older; alleged perpetrator is not a person responsible for victim.
4. No reasonable cause - The complaint was reported by second and third hand sources. CPS is unable to establish a basis in fact for the suspicion.
5. Reporting person is unreliable and or not credible - This reason requires significant documentation.
6. Withdrawn with cause - Based on new information, the complainant withdraws the complaint before the investigation commences and there is insufficient reason to proceed.

Analysis of Screened Out Complaints

Over the last 4 years the percentage of complaints screened-out have consistently remained at 37 percent. More than 50 percent of all screened out complaints do not meet the Child Protection Law definition of child abuse or neglect (reason #3). Only a small percentage of complaints are withdrawn or found to not have a reliable source (reason #5 and 6).

5 Category Disposition System

The 5 category system for CPS was developed in July of 1999 and fully implemented FY2001. The system was developed to allow a gradation of case management possibilities for CPS workers by allowing them to provide an adequate level of services to families with varied risk levels. For the first time in DHS history CPS workers are able to provide services to low-moderate risk families without the perpetrator being placed on Central Registry.

Category Trends	FY2002	FY2003	FY2004	FY2005	<i>FY2006</i>	<i>% of Cases</i>	
Category I	5,285	5,251	5,368	5,114	5,530	7.89%	Total number of substantiated cases with perpetrators placed on Central Registry 10,930.
Category II	5,548	5,265	5,598	5,932	5,400	7.71%	
Category III	5,744	6,536	6,881	5,843	6,593	9.41%	
Category IV	40,338	44,317	45,564	46,030	44,538	63.56%	Total number of unsubstantiated investigated cases 52,546.
Category V	14,670	13,746	13,283	9,367	8,008	11.43%	
Total	71,585	75,115	76,694	72,286	70,069	100.00%	

Since the first year that data was available in 2002, the distribution of investigation disposition has remained consistent:

- 22-25% are category I, II, or III (preponderance of evidence).
- 75-78% are category IV or V (no preponderance of evidence).

The category definitions are as follows:

Category I – The disposition of a case that was investigated where CPS found a preponderance of evidence of child abuse and/or neglect and the Child Protection Law or policy requires a petition for court action. The perpetrator is listed on Central Registry.

Category II – The disposition of a case that was investigated where CPS found a preponderance of evidence of child abuse and/or neglect and the risk to children is high or intensive. CPS must open a protective service case and provide services. The perpetrator is listed on Central Registry.

Category III – The disposition of a case that was investigated where CPS found there was a preponderance of evidence of child abuse and/or neglect and the risk to children is low or moderate. CPS must assist the family in receiving community-based services commensurate with the risk to the child. The perpetrator is not listed on Central Registry.

Category IV – The disposition of a case that was investigated where CPS found there was not a preponderance of evidence of child abuse and/or neglect. CPS may assist the family in accessing community services based on the needs of the family.

Category V – The disposition of a case that was investigated with no evidence and/or CPS was unable to locate the family.

5 Category Disposition System (continued)

Investigations that result in a preponderance of evidence finding are monitored or managed by the CPS worker and the children and families may receive services. During this period the CPS worker continues to assess the safety of the child, the level of future risk to the child, and the family's cooperation and participation in services. At anytime during this process the case may be closed or the category may be escalated to a higher level. The category is escalated in those cases where the risk remains high, the child is not safe, and/or the parents are not cooperating or participating in services. This escalation could result in more intensive monitoring and services and even removal of the child from the home. The table below outlines the result of those cases that were escalated.

Category Analysis 2006

A. Category III cases that remained Category III Cases and closed within FY 2006.	6,250
B. Category III cases that escalated to Category II in FY 2006.	271
C. Category III cases that escalated to Category I in FY 2006.	171 (110 children removed)
D. Category II cases that were esclated to Category I with FY 2006.	1,120 (804 children removed)
E. Category II or I cases where the case was closed in FY 2006 and the children were not removed.	6,301

A. Assessments of both the risk of future harm to the child and the current safety of the child indicated no threat or child protective services are not needed - family is receiving services from another program.

B. In these cases the risk level increased and child protective services were needed.

C and D. In these cases the risk level increased, the child was not safe, and a petition to the court was needed/required. Note: 110 of C. and 804 of D. were placed in foster care.

E. In these cases risk was reduced, the child was safe, or the court didn't authorize petition for removal.

Michigan Department of Human Services
 Child Protective Services Management Information
 Race and Age of Victims
 PSMIS (Replaces PS-31F)

FY 2006 Victims of Abuse/Neglect by Race, Gender and Age

AGE	White			African American			Native American			Asian			Unknown			Latino/Spanish Surname			Total			
	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	
<1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
0	1,191	1,115	2,306	900	789	1,689	9	7	16	3	7	10	82	80	162	34	26	60	2,219	2,024	4,243	
1	602	533	1,135	275	267	542	5	9	14	3	1	4	9	9	18	26	15	41	920	834	1,754	
2	526	546	1,072	260	226	486	7	11	18	2	2	4	4	4	8	28	31	59	827	820	1,647	
3	549	471	1,020	269	244	513	6	7	13	5	1	6	4	9	13	29	31	60	862	763	1,625	
4	556	464	1,020	245	246	491	8	4	12	4	3	7	8	13	21	45	26	71	866	756	1,622	
5	544	487	1,031	269	252	521	7	6	13	2	6	8	6	6	12	26	30	56	854	787	1,641	
6	495	438	933	238	248	486	9	8	17	1	3	4	5	5	10	36	32	68	784	734	1,518	
7	458	427	885	255	201	456	8	5	13	1	4	5	8	7	15	29	27	56	759	671	1,430	
8	457	434	891	234	198	432	5	12	17	4	1	5	2	7	9	32	28	60	734	680	1,414	
9	426	402	828	227	216	443	6	6	12	4	1	5	4	2	6	22	29	51	689	656	1,345	
10	373	389	762	210	183	393	5	3	8	4	1	5	4	3	7	25	26	51	621	605	1,226	
11	415	401	816	203	225	428	6	1	7	3	1	4	7	6	13	20	22	42	654	656	1,310	
12	433	393	826	225	247	472	5	4	9	1	0	1	4	5	9	17	24	41	685	673	1,358	
13	373	438	811	234	260	494	4	6	10	2	2	4	9	12	21	26	45	71	648	763	1,411	
14	371	520	891	236	284	520	7	7	14	1	5	6	5	10	15	20	31	51	640	857	1,497	
15	368	503	871	227	272	499	2	6	8	3	1	4	11	16	27	17	30	47	628	828	1,456	
16	290	452	742	168	249	417	5	5	10	2	3	5	4	6	10	18	13	31	487	728	1,215	
17	130	214	344	86	136	222	3	1	4	1	1	2	5	5	10	9	11	20	234	368	602	
>17	3	1	4	5	2	7	0	0	0	0	0	0	0	0	0	1	0	1	9	3	12	
State	8,560	8,629	17,189	4,766	4,745	9,511	107	108	215	46	43	89	181	205	386	460	477	937	14,120	14,207	28,327	

- A total of 28,327 victims were identified in the 17,523 investigations where abuse/neglect was confirmed, or 1.5 child victims per family.
- 49 percent of all victims were male, 51 percent female.
- 61 percent of all victims were White, 33 percent African American, 6 percent were a combination of Native American, Asian, Latino, or unknown.
- 33 percent were under the age of 4.

Perpetrators of Abuse/Neglect

The role of the perpetrators in child abuse/neglect cases is labeled in the first column of the table below.

In approximately 90 percent of all cases the perpetrator is the parent, whether they be in the home or outside of the home. Some cases include multiple perpetrators. There is an average of 1.2 perpetrators for each case of confirmed abuse/neglect.

A decrease in the number of perpetrators placed on Central Registry occurred in 2001, following full implementation of the 5 category disposition process (see shaded area below). With the implementation of that process, services could be provided to low/moderate risk families without placing them on Central Registry.

	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Parent in the home	11,711	11,187	12,177	13,171	14,687	16,110	17,103	16,992	17,981	17,002	17,022
Sibling	112	115	107	113	111	147	104	127	129	121	133
Other relative	343	455	517	523	612	712	753	673	756	643	742
Other person in the home	642	614	574	661	668	687	728	716	766	712	752
Day care provider	7	6	8	18	12	19	21	24	9	22	11
Foster parent	37	48	30	46	61	74	72	58	92	48	58
Parent out-of-home	737	1,025	1,297	1,529	1,855	2,121	2,125	2,315	2,453	2,351	2,521
Other perpetrator	1,009	884	987	984	954	1,049	1,039	988	987	937	678
Perpetrator TOTAL	14,599	14,334	15,697	17,045	18,960	20,919	21,945	21,893	23,173	21,840	21,917
Perpetrators put on Central Registry	14,599	14,334	15,697	17,045	18,960	16,215	13,040	13,867	14,350	13,617	13,830

Reporting Sources of Complaints

Reporting sources include mandated and non-mandated reporters.

- Non-mandated reporter - All other individuals who are not listed under the Child Protection Law MCL 722.623 as mandated reporters.
- Mandated reporter - An individual defined under the Child Protection Law, MCL722.623 required to report child abuse and/or neglect.

The tables below contain the number and source of complaints that were **investigated, and the percentage of those that resulted in confirmed abuse/neglect**. Law enforcement has consistently been the largest mandated reporting source educational community second and health care community third. The leading non-mandated reporter category has consistently been "anonymous". Clergy was added to the list of mandated reporters per Child Protection Law in 2004.

Non Mandated Reporters	Number investigated FY 2006	% Confirmed
Hospital/Clin Personnel	277	32%
DHS Facility Personnel	368	25%
DCH Fac Personnel	104	22%
Other Pub Agency	429	23%
Court Personnel	1,052	30%
Other School Personnel	336	19%
Victim	297	25%
Relative (N-Parent/Sib)	5,825	21%
Sibling	225	23%
Parent /Sub in Home	2,370	24%
Parent /Sub out of Home	4,031	12%
Anonymous	7,295	10%
Friend/Neighbor	4,310	16%
Other	4,867	16%
Non Mandated Reporters Total	31,786	17%

Mandated Reporters	Number investigated FY 2006	% Confirmed
Private Physican	714	25%
Hospital Clinic Physican	1,147	30%
Corn/Med Exam	78	9%
Dentist	62	29%
Audiologist	10	40%
Nurse (non school)	1,521	32%
School Nurse	331	25%
Teacher	2,740	17%
School Admin	2,328	20%
School Counselor	6,128	21%
Law Enforcement Off	9,393	43%
Child Care Provider	368	17%
Hosp/Clin Soc Wkr	4,879	50%
DHS Fac Social Wkr	3,324	26%
DCH Fac Social Wkr	828	22%
Other Pub Soc Wkr	2,184	22%
Private Agy Soc Wkr	2,613	21%
Court Soc Wkr	259	30%
All other Soc Wkr.	902	22%
Clergy	64	22%
Mandated Reporters Totals	39,873	31%

CHILDREN'S PROTECTIVE SERVICES MANUAL CHANGES - 2006

Five Category Disposition and Category III Central Registry Exception CFP 711-4, 718-7

CPS policy changed to indicate that perpetrators of child abuse and neglect who are *licensed foster parents* must be listed on Central Registry even though the structured decision making risk level for the household may be low or moderate.

Reason for change: Compliance with 1975 PA 238 Section 8d.(3).

Removal of Child From Home and 5-day Placement Packet CFP 715-2, 715-4

The "Relative Caregiver Resources & Responsibility" pamphlet (DHS Pub-457) was developed by the Children's Foster Care program office. In accordance with the federal program improvement plan, CPS workers must provide a copy of this publication to relative placement providers at the time of placement.

Reason for change: Compliance with the federal Program Improvement Plan.

Domestic Violence CFP 712-6, 713-8, 714-1

Modified policy to provide better direction to CPS workers when handling cases in which domestic violence is present.

Reason for change: Policy clarification.

The Domestic Violence Treatment and Prevention Board (DVTPB) and Children's Protective Services (CPS) program office worked together.

Multiple Complaints CFP 712-5, 713-9

The Office of the Family Advocate (OFA) organized and convened a committee at the request of the director of the Department of Human Services. The committee consisted of representatives from:

- CPS program office.
- Local DHS offices.
- OFA.
- Out-state Operations Administration.

The focus of this committee was to examine the issue of fatal child abuse/neglect and develop recommendations and prevention strategies to enhance child protection. This committee identified "multiple CPS complaints" as a common factor in numerous child death situations.

The committee recommended that new language be added to CPS policy in the areas of intake and completion of CPS investigations. This new language requires additional steps to be taken in situations where a CPS complaint constitutes at least the 3rd complaint (investigated or rejected for investigation by CPS).

Reason for change: DHS Child Death Review committee recommendations.

**Department Sources of Information
CFP 717-4**

Language modified to provide a better explanation of when the department can release CPS information for the purposes of investigating an applicant for adoption and foster care licensure.

Reason for change: At the request of Office of Child and Adult Licensing (OCAL).

**Absent Parent Protocol
CFP 715-3**

Absent Parent Protocol was added to policy. Workers must make efforts to identify and locate absent parents. Each county office is required to develop a process to assure that information is shared between CPS and FC workers, and that diligent search efforts continue throughout the life of the case or until parents are located.

Reason for change: CFSR requirement.

Significant Child Protection Law Changes Effective in 2006
(Underlined text highlights the law changes)

Mandated Reporters

Law Change 1: 722.623 Section 3(1)(a) A physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider who has reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the department. Within 72 hours after making the oral report, the reporting person shall file a written report as required in this act. If the reporting person is a member of the staff of a hospital, agency, or school, the reporting person shall notify the person in charge of the hospital, agency, or school of his or her finding and that the report has been made, and shall make a copy of the written report available to the person in charge. A notification to the person in charge of a hospital, agency, or school does not relieve the member of the staff of the hospital, agency, or school of the obligation of reporting to the department as required by this section. One report from a hospital, agency, or school is adequate to meet the reporting requirement. A member of the staff of a hospital, agency, or school shall not be dismissed or otherwise penalized for making a report required by this act or for cooperating in an investigation.

Summary: Changed the mandated reporters that are social workers to comply with the social work titles given by the new social worker licensing laws.

Methamphetamine

Law Change 2: 722.623 Section 3(6) If an allegation, written report, or subsequent investigation of suspected child abuse or child neglect indicates a violation of sections 136b and 145c, sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.136b, 750.145c, and 750.520b to 750.520g, or section 7401c of the public health code, 1978 PA 368, MCL 333.7401c, involving methamphetamine has occurred, or if the allegation, written report, or subsequent investigation indicates that the suspected child abuse or child neglect was committed by an individual who is not a person responsible for the child's health or welfare, including, but not limited to, a member of the clergy, a teacher, or a teacher's aide, the department shall transmit a copy of the allegation or written report and the results of any investigation to a law enforcement agency in the county in which the incident occurred. If an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect is a child care provider and the department believes that the report has basis in fact, the department shall transmit a copy of the written report or the results of the investigation to

the child care regulatory agency with authority over the child care provider's child care organization or adult foster care location authorized to care for a child.

Summary: If a CPS investigation finds violation of section 7401c of the public health code, 1978 PA 368, MCL 333.7401c, involving methamphetamine, DHS must refer the complaint to law enforcement.

Law Change 3: 722.623 Section 3(7) If a local law enforcement agency receives an allegation or written report of suspected child abuse or child neglect or discovers evidence of or receives a report of an individual allowing a child to be exposed to or to have contact with methamphetamine production, and the allegation, written report, or subsequent investigation indicates that the child abuse or child neglect or allowing a child to be exposed to or to have contact with methamphetamine production, was committed by a person responsible for the child's health or welfare, the local law enforcement agency shall refer the allegation or provide a copy of the written report and the results of any investigation to the county department of the county in which the abused or neglected child is found, as required by subsection (1)(a). If an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect or allowed a child to be exposed to or to have contact with methamphetamine production, is a child care provider and the local law enforcement agency believes that the report has basis in fact, the local law enforcement agency shall transmit a copy of the written report or the results of the investigation to the child care regulatory agency with authority over the child care provider's child care organization or adult foster care location authorized to care for a child. Nothing in this subsection or subsection (1) shall be construed to relieve the department of its responsibilities to investigate reports of suspected child abuse or child neglect under this act.

Summary: If law enforcement finds a child was exposed to methamphetamine production by a person responsible, they must refer the complaint to CPS. If law enforcement finds a child was exposed to methamphetamine production by a child care provider, they must refer the complaint to the child care regulatory agency.

Law Change 4: 722.623 Section 3(9) In conducting an investigation of child abuse or child neglect, if the department suspects that a child has been exposed to or has had contact with methamphetamine production, the department shall immediately contact the law enforcement agency in the county in which the incident occurred.

Summary: If CPS suspects a child has been exposed to methamphetamine production, CPS must refer the complaint to law enforcement in the county where the incident occurred.

Law Change 5: 722.626 Section 6(3) If a report is made by a person other than a physician, or if the physician's report is not complete, the department may request a court order for a medical evaluation of the child. The department shall have a medical evaluation made without a court order if either of the following occurs:

(a) The child's health is seriously endangered and a court order cannot be obtained.

(b) The child is displaying symptoms suspected to be the result of exposure to or contact with methamphetamine production.

Summary: The department can get a medical exam of a child without a court order if the child is displaying symptoms suspected to be the result of exposure to methamphetamine production.

Law Change 6: 722.628 Section 8(1) Within 24 hours after receiving a report made under this act, the department shall refer the report to the prosecuting attorney if the report meets the requirements of section 3(6) or (9) or shall commence an investigation of the child suspected of being abused or neglected. Within 24 hours after receiving a report whether from the reporting person or from the department under section 3(6) or (9), the local law enforcement agency shall refer the report to the department if the report meets the requirements of section 3(7) or shall commence an investigation of the child suspected of being abused or neglected or exposed to or who has had contact with methamphetamine production. If the child suspected of being abused or exposed to or who has had contact with methamphetamine production is not in the physical custody of the parent or legal guardian and informing the parent or legal guardian would not endanger the child's health or welfare, the agency or the department shall inform the child's parent or legal guardian of the investigation as soon as the agency or the department discovers the identity of the child's parent or legal guardian.

Summary: Within 24 hours, CPS must refer complaints to the prosecuting attorney if a child has been exposed or had contact with methamphetamine production. If a child is not in the custody of the child's parents and the child has been exposed to methamphetamine production, CPS must notify the child's parent once the identity of the parent is discovered if this notification is not contrary to the child's safety

Law Change 7: 722.628 Section 8(3) In conducting its investigation, the department shall seek the assistance of and cooperate with law enforcement officials within 24 hours after becoming aware that 1 or more of the following conditions exist: (f) The child has been exposed to or had contact with methamphetamine production.

Summary: CPS shall seek assistance of and cooperate with law enforcement when it is found that a child has been exposed to methamphetamine production.

Law Change 8: 722.628b Section 8b(2) If a Central Registry case involves a child's exposure to or contact with methamphetamine production, the department shall refer the case to the prosecuting attorney for the county in which the child is located. The prosecuting attorney shall review the investigation of the case to determine whether the investigation complied with the protocol adopted as required by section 8.

Summary: If a Central Registry case involves exposure to methamphetamine production, CPS must refer the case to the prosecuting attorney in the county where the case is located.

Law Change 9: 722.637 Section 17 Within 24 hours after the department determines that a child was severely physically injured as defined in section 8, sexually abused, or allowed to be exposed to or have contact with methamphetamine production, the department shall submit a petition for authorization by the court under section 2(b) of chapter XIA of 1939 PA 288, MCL 712A.2.

Summary: Requires CPS to file a petition with the court within 24 hours of determining that a child was exposed to methamphetamine production.