

Auditor General Report Recommendation by the House Oversight Committee

The Committee agrees with the various findings in the Auditor General's report on Children's Protective Services (CPS) Investigations that was released in September of 2018. After conducting four hearings on the audit and taking testimony from both the Auditor General's Office and the Michigan Department of Health and Human Services, the House Oversight Committee recommends several legislative proposals. These proposals include, but are not limited to, the following:

- The Child Protection Law (CPL) should be amended to clarify the appropriate actions that should be taken by the department when commencing an investigation of suspected child abuse or neglect. These actions should include verifying the well-being of the children in the home within 24 hours.
- The CPL should be amended to ensure that the department conducts the appropriate monitoring of families' participation in post-investigative services prior to closing out a Category III investigation. Additionally, the department indicates that Category III investigations could be delineated into two different types of responses.
 - A "Category III-a" finding would identify a case which, based on the likelihood of recurrence of abuse or neglect would be left opened for CPS services.
 - A "Category III-b" finding would identify that recurrence of abuse or neglect is less likely. In these cases, CPS would assist the family in receiving community-based services and the case could be closed.
- The CPL should also be amended to add license exempt child care providers to the list of individuals who should be added to the Central Registry if there exists a preponderance of evidence that the individual was the perpetrator of child abuse or neglect.
- While the CPL states that in each county, the prosecuting attorney and the department shall adopt and implement standard child abuse and neglect investigation protocols, no statutory provision exists to ensure that this is taking place. Legislation should be implemented that would require centralized oversight that these protocols have been implemented.
- The CPL requires that an investigation checklist should be completed for all CPS investigations. The audit found that this checklist was not necessarily completed when the department conducted abbreviated investigations. Abbreviated investigations result when it becomes

apparent that there is no child abuse or neglect very early in the investigation. The CPL should be amended to require the department to document why an investigation was abbreviated and to allow for an abbreviated checklist. Furthermore, the department has developed a Supervisory Control Protocol since the audit was released. This protocol provides more thorough information than the current checklist. Either through statute or department policy, the Supervisory Control Protocol or a successor verification process should be used as the Investigation Checklist.

- With the updated technology that the department has implemented since the audit was conducted and released, much of the data that could be used to assess the department's progress on areas with deficiencies is more readily accessible. The CPL should be amended to require periodic reports to an appropriate oversight authority.

The Committee also recommends that further investigation is needed, perhaps through workgroups to explore two other areas of concern.

- To determine if improvements are needed in the Central Registry system to ensure that only those individuals that are a true risk to children are included.
- To explore safety concerns of CPS workers and determine if there are legislative remedies that can provide a safer and less stressful work environment for these front-line investigators.

The Oversight Committee has diligently performed its duty under House Rule 36 and submits this report to the Families, Children and Seniors Committee.