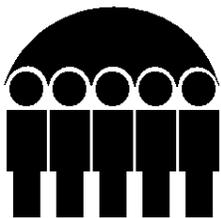


September 1, 2006

Employees' Manual
Title 17
Chapter A

CHILD WELFARE
INTAKE POLICY



Iowa
Department
of
Human Services

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Life of the Case Phase: Intake

Children in Iowa need protection from abuse. Child protection and strong families are the responsibility not only of the family itself, but also of the larger community, including formal and informal service networks.

It is the purpose and policy of this state to provide the greatest possible protection to children who may have been abused or are at risk for abuse and those children in need of assistance. Practice carrying out these policies shall be guided by the principle: **child safety comes first.**

The purpose of the Department's child welfare intake process is to obtain information to ensure requests for child protective services (CPS) or a child in need of assistance (CINA) that meet the criteria for assessment are accepted and that reports that do not meet the legal requirements are appropriately rejected.

This chapter summarizes state policies about child welfare intake services.

Intake Outcomes

- Child safety
- Appropriate reports of child abuse accepted for assessment

Intake Decisions

- Accept or reject reports of child abuse for assessment
- Establish response timeframe
- Determine transfer

Criteria for CPS Assessment

- Victim is a child under age 18
- Person responsible is a caretaker
- Incident or allegation falls within Iowa's definition of abuse

Criteria for CINA Assessment

- Child is under age 18
- CINA screen on *CPS and CINA Intake Decision Tree* indicates a possible basis for CINA petition

Scope of Chapter

This chapter includes “high level” statements that summarize the essence of the associated law, rule, or Department-required practice. The administrative rule and state law references are linked to the actual state rule or law chapter. The CPS and CINA policy sections each end with a table that identifies the topic of the policy and the applicable legal references.

Links to “Procedure” in this chapter refer either to Chapter 17-A(1), which describes state procedures for carrying out the intake process for child protective services, or to Chapter 17-A(2), which describes state procedures for the intake phase of a child in need of assistance case.

Links to “Practice Guidance” refer to Chapter 17-A(3), which provides background information to support the procedures or policy and the clinical or programmatic rationale for the actions that are required during the intake phase.

Legal Basis

Federal laws related to child welfare services include:

- ◆ Public Law 93-247, the “Child Abuse Prevention and Treatment Act of 1974”
- ◆ Public Law 98-457, the “Child Abuse Amendments of 1984”
- ◆ Public Law 100-294, the “Child Abuse Prevention, Adoption, and Family Services Act of 1988”
- ◆ Public Law 104-235, the “Child Abuse Prevention and Treatment Act of 1996”
- ◆ Public Law 105-89, the “Adoption and Safe Families Act of 1997”
- ◆ Public Law 111-320, the “CAPTA Reauthorization Act of 2010”

Federal regulations pursuant to these laws are found in Title 45 Code of Federal Regulations (CFR) 1340, “Child Abuse and Neglect Prevention and Treatment.”

Specific reference to reporting and assessment of child abuse can be found in Iowa Code Chapter 232 "Juvenile Justice," Division III, Part 2, "Child Abuse Reporting, Assessment, and Rehabilitation," and section 232.81. Iowa Code Chapter 234, "Child and Family Services," vests the authority in the Department to use funds for protective services.

Department responsibilities for child welfare services are defined in Iowa Code Chapter 235, "Child Welfare." Chapter 235A, "Child Abuse," authorized the child abuse prevention program and the child abuse information registry.

Departmental rules concerning child abuse intake are found in 441 Iowa Administrative Code Chapter 175.

CPS Intake Policy Statements

Link to [Procedure](#)

Link to [Practice Guidance](#)

Sources of Reports

Law: [Iowa Code sections 232.69, 232.70, and 232.73](#)

Rule: [441 Iowa Administrative Code 175.23\(232\)](#)

Policy statement: The Department shall receive child abuse reports from mandatory, permissive, and anonymous reporters.

Mandatory Reporters

Law: [Iowa Code section 232.69\(1\)](#)

Rule: [441 Iowa Administrative Code 175.23\(1\)](#)

Policy statement: Every person as defined in Iowa law is a mandatory reporter of child abuse when within the scope of the person's professional practice or employment the person examines, attends, counsels, or treats a child and reasonably believes the child has been abused.

Duties of a Mandated Reporter

Law: [Iowa Code sections 232.69](#) and [232.70](#)

Rule: [441 Iowa Administrative Code 175.23\(1\)](#)

Policy statement: A mandatory reporter is required to make an oral report to the Department within 24 hours of becoming aware of an abusive incident and must make a written report to the Department within 48 hours of the oral report. A mandatory reporter must contact law enforcement if there is reason to believe that the child needs immediate protection.

Content of a Mandated Report

Law: [Iowa Code section 232.70\(6\)](#)

Policy statement: To the extent possible, the content of the oral and written report made by a mandatory reporter shall include information on the following: child and any other children within the household, parents, caretaker, person alleged to have committed the abuse, incident, additional sources of information, and information about the reporter.

Permissive Reporters

Law: [Iowa Code section 232.70, subsections 7 and 9](#)

Rule: [441 Iowa Administrative Code 175.23\(3\)](#)

Policy statement: Any person who suspects child abuse may make an oral or written report, or both, to the Department.

Anonymous Reporter

Law: [Iowa Code section 232.70\(6\)](#)

Policy statement: Permissive reporters may remain anonymous, yet the reports are handled in the same manner as other reports.

Others Required to Report

Rule: [441 Iowa Administrative Code 175.23\(2\)](#)

Policy statement: Income maintenance workers and certified adoption workers are required to report child abuse within the course of their employment duties.

Other Types of Reporting

Law: [Iowa Code section 232.69](#)

Policy statement: The Department can initiate a child protection assessment based on a report that appears in the newspaper or other media.

Evaluating Intake Information

Law: [Iowa Code sections 232.67](#) and [232.71B](#)

Policy statement: The Department shall evaluate the safety of and risk to the child victim and any other children in the same home as the parents or other person responsible for their care.

Gathering History Information

Law: [Iowa Code section 232.70\(5\)](#)

Policy statement: Upon receipt of a report, the intake worker shall search the records of the Central Child Abuse Registry.

Reports From Multiple Reporters

Law: [Iowa Code section 232.70\(8\)](#)

Policy statement: When there is more than one report regarding the same incident, the Department may advise the subsequent reporters that the report has already been received.

Time Limit for Supervisory Decision

Law: [Iowa Code section 232.71B\(1\)](#)

Policy statement: Depending on the information provided at the time of intake and the level of risk to the child, the decision on whether to accept or reject a report of child abuse must be made within 1 hour or 12 hours from receipt of the report.

Criteria for Accepting Reports

Law: [Iowa Code sections 232.71B\(1\)](#), [232.68\(2\)](#) as amended by 2011 Iowa Acts, House File 562, and [232.68\(7\)](#)

Policy statement: The Department shall accept a report of child abuse for assessment when the following three elements are present:

- ◆ The alleged abuse occurred to a child,
- ◆ The alleged abuse falls within the definition of child abuse, and
- ◆ The alleged abuse was caused by acts or omissions of the child's caretaker.

Physical Abuse Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "a"](#)

Rule: [441 Iowa Administrative Code 175.21\(232,235A\)](#)

Policy statement: A report constitutes an allegation of physical abuse if there is damage to any bodily tissue that would require a healing process or there is damage to the body that results in the death of the child.

Mental Injury Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "b"](#)

Policy statement: A report constitutes an allegation of mental injury when a child's intellectual or psychological capacity is injured.

Sexual Abuse Allegation

Law: [Iowa Code section 232.68\(2\)](#)

Policy statement: A report constitutes an allegation of sexual abuse if it concerns any sexual behavior between a caretaker and a child.

Denial of Critical Care Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "d"](#) as amended by 2011 Iowa Acts, House File 562

Rule: [441 Iowa Administrative Code 175.21\(232,235A\)](#)

Policy statement: A report constitutes an allegation of denial of critical care when a person responsible for the care of a child fails to provide adequate food, shelter, clothing, medical or mental health treatment, supervision, or other care necessary for the child's health and welfare.

Child Prostitution Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "e"](#)

Policy statement: A report constitutes an allegation of child prostitution when the services of a child as a partner in a sex act are sold, purchased, or offered for sale or purchase and the caretaker of the child allows, permits, or encourages the child to engage in prostitution.

Presence of Illegal Drugs Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "f"](#)

Policy statement: A report constitutes an allegation of the presence of illegal drugs when an illegal drug is alleged to be present in a child's body or a child is alleged to have been exposed to an illegal drug that would result in the drug being present in the child's body.

Manufacturing or Possession of Dangerous Substances Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "g"](#)

Policy statement: A report constitutes an allegation of manufacturing or possession of a dangerous substance when the caretaker manufactures a dangerous substance in the presence of a child, knowingly allows another person to do so, or possesses a product that contains elements used in manufacturing, with the inferred intent of using the product as a precursor or an intermediary.

Bestiality in the Presence of a Minor Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "h"](#)

Policy statement: A report constitutes an allegation of bestiality in the presence of a minor when the act occurs in the presence of a child and was due to the acts or omissions of the person responsible for the care of the child, and the person committing the act resides in a home with the child.

Allows Access by a Registered Sex Offender Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "i"](#)

Policy statement: A report constitutes an allegation of this type of abuse when a caretaker knowingly allows unsupervised contact or custody or control of a child by a registered sex offender or a person required to register who is not the caretaker's minor child or spouse.

Allows Access to Obscene Material Allegation

Law: [Iowa Code section 232.68\(2\), paragraph "j"](#)

Policy statement: This abuse involves a caretaker knowingly allowing access, exhibiting, or disseminating obscene material to the child.

Rejecting a Report

Law: [Iowa Code sections 232.70](#) and [232.71\(1\)](#)

Rule: [441 Iowa Administrative Code 175.21\(232, 235A\)](#)

Policy statement: The Department shall gather sufficient information at intake to determine if a report meets the intake criteria and shall accept the report when there is insufficient information to reject it. Rejected intake information shall be maintained by the Department for three years from the date the report was rejected and shall then be destroyed.

False Reports

Law: [Iowa Code section 232.71B](#)

Policy statement: If the Department determines a report to be entirely false or without merit due to the report's spurious or frivolous nature, the Department may at its discretion terminate the assessment of the report.

Accepting a Report for Assessment

Law: [Iowa Code sections 232.70](#) and [232.71B](#)

Policy statement: When it is determined that a report of child abuse shall be accepted, it becomes a case and shall be assigned to a child protection worker.

Assessment Process

Law: [Iowa Code section 232.71B](#)

Rule: [441 Iowa Administrative Code 175.24\(232\)](#)

Policy statement: If the Department determines a report constitutes a child abuse allegation, the Department shall promptly commence an appropriate assessment within the applicable timeframe.

Determining Jurisdiction

Law: [Iowa Code section 232.72](#)

Rule: [441 Iowa Administrative Code 175.35\(232\)](#)

Policy statement: The assessment unit serving the county where the child subject's home is located has primary responsibility for completing the child abuse assessment.

Assessment Response Time

Law: [Iowa Code sections 232.70](#) and [232.71B](#)

Policy statement: When a child abuse case is assigned to a child protection worker, a time limit for the response shall be assigned that begins with the receipt of the report being completed and is based on the risk level identified through information gathered at intake.

Notice of Intake Decisions

Information Provided to Reporters

Law: [Iowa Code sections 232.70](#), [232.71B](#), [235A.15](#), and [235A.17\(2\)](#)

Policy statement: The Department shall:

- ◆ Inform all reporters within 24 hours of receipt of the report whether the report has been accepted or rejected.
- ◆ Send a written notice of intake decision to all reporters within five working days.
- ◆ Advise all reporters to call law enforcement immediately if they have immediate concerns for child safety, and then recontact the intake unit.
- ◆ Advise mandatory reporters they are required by law to submit a written report of the child abuse allegation within 48 hours to document the oral report.
- ◆ Inform mandatory reporters that they will receive a written notice of the assessment outcome and may request a copy of founded assessment reports.

Notification of County Attorney

Law: [Iowa Code sections 232.70](#) and [232.71](#)

Policy statement: The Centralized Service Intake Unit (CSIU) shall notify the county attorney of reports of child abuse regardless of the intake decision by providing a copy of form [470-0607, Child Protective Services Intake](#).

Confidentiality of the Identity of the Reporter

Law: [Iowa Code sections 232.71B](#)

Policy statement: The Department shall not reveal the identity of the reporter of child abuse to a subject of a child abuse report in the written notification to the parents or otherwise.

CINA Intake Policy Statements

Link to [Procedure](#)

Link to [Practice Guidance](#)

Authority to Conduct CINA Intake

Law: [Iowa Code section 232.81](#)

Policy statement: Any person may file a complaint with the agency designated by the court to perform intake duties alleging a child is a “child in need of assistance.”

Evaluating Intake Information for CINA Assessment Referral

Law: [Iowa Code section 232.87](#)

Policy statement: The Centralized Service Intake Unit (CSIU) shall evaluate the credibility of the facts and circumstances alleged and the information gathered to determine if the concerns constitute an allegation of a CINA as statutorily defined.

Rejected CINA Assessment Intakes

Law: [Iowa Code section 232.87](#)

Policy statement: If the intake information does not contain information to determine whether the case meets criteria for referral for CINA assessment services, the CINA intake will be rejected. The Department’s involvement ends with provision of information on community resources being provided to the caller, if applicable to the circumstances reported.

Rejected CINA intake information shall be maintained by the Department for three years from the date the report was rejected and shall then be destroyed.

Rejected CPS Intake Referred for CINA Assessment

Law: [Iowa Code section 232.81](#)

Policy statement: A CINA assessment referral may be made when the rejected child abuse intake information indicates possible CINA eligibility.

Jurisdiction of CINA Assessments

Law: [Iowa Code section 232.61](#)

Policy statement: The county of residence of the child is the county responsible for the CINA assessment.

Response Time for CINA Assessment Referral

Law: None, statewide required practice

Policy statement: The supervisor shall assign cases meeting CINA assessment services referral criteria within one business day. The assigned worker shall make a child and family contact within 5 business days of the intake and shall complete the assessment summary in 20 business days.

Abandonment of a Child

Law: [Iowa Code Chapter 232.2](#)

Policy statement: An immediate response is required when a parent, guardian, or other custodian has abandoned or deserted the child.

Safe Haven

Law: [Iowa Code Chapter 233](#)

Policy statement: If an infant under age 14 days is abandoned at a health facility, the Department shall respond as required under the Newborn Safe Haven Act. If the child has been abused, the CINA intake worker shall make a child abuse referral to child protective intake.