



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

February 5, 2016

## GENERAL LETTER NO. 17-B(1)-12

ISSUED BY: Bureau of Child Welfare and Community Services  
Division of Adult, Children and Family Services

SUBJECT: Employees' Manual, Title 17, Chapter B(1), **CPS ASSESSMENT PROCEDURES**, pages 10, 32, and 57, revised.

### Summary

Chapter 17-B(1) is revised to:

- ◆ Change the name of form 470-0643 from *Request for Child Abuse Information* to *Request for Child and Dependent Adult Abuse Information*.
- ◆ Remove references to the closed Iowa Juvenile Home.
- ◆ Update links due to the Department's new website.

### Effective Date

February 1, 2016

### Material Superseded

This material replaces the following pages from Employees' Manual, Title 17, Chapter B(1):

<u>Page</u>	<u>Date</u>
10	August 17, 2007
32	July 3, 2009
57	August 17, 2007

### Additional Information

Refer questions about this general letter to your area service administrator.

### **Reports Involving Department Employees**

The Department of Inspection and Appeals (DIA) investigates reports of abuse in Department-operated facilities. Department-operated facilities caring for children include:

- ◆ The State Training School
- ◆ Woodward Resource Center
- ◆ Glenwood Resource Center
- ◆ Cherokee Mental Health Institute
- ◆ Independence Mental Health Institute

The chart below identifies the jurisdiction of assessments.

<b>If the alleged abuse of child residing in a state-operated facility took place...</b>	<b>Jurisdiction of the assessment is with...</b>
In a state-operated facility	Inspections and Appeals
In a former placement	Human Services (home county)
At home	Human Services (home county)

When DIA has jurisdiction of the assessment:

1. Refer the report to the DIA complaint and abuse hotline at 1-877-686-0027. DIA will make an intake decision and respond accordingly.
2. Fax the intake information received to DIA at (515) 281-7106. Include in the fax cover letter the information that this is a child abuse referral. Do not enter the intake into STAR/Case Flow.
3. If DIA is not available, immediately contact the facility administrator or designee to ensure safety of the child. The administrator or designee must ensure that:
  - ◆ The safety needs of all children in the facility are addressed, and
  - ◆ Any information necessary for a complete assessment is gathered and remains intact.

8. The supervisor shall not approve a founded or confirmed abuse report unless the child protection worker has offered the person alleged responsible an interview or has documented reasonable efforts to interview.
  - ◆ The report finding must be “not confirmed,” and
  - ◆ The report must be put on the addendum list to allow 20 business days to offer the person alleged responsible an interview.
9. Gather information on the person’s:
  - ◆ Role, attitude, and relationship with the alleged victim.
  - ◆ Response to the abuse allegation.
  - ◆ Description of what occurred.
  - ◆ Acceptance of the child’s version of what might have happened.
  - ◆ Role in the household, if living in the same household.
  - ◆ Perception of the child and other children in the home, if residing there.
  - ◆ Approach to solving problems and willingness to seek help, if suggested.
  - ◆ History of abuse, [domestic violence](#), or criminal activity.
  - ◆ [Substance abuse](#), [mental health](#), or other significant concerns.
  - ◆ Stress factors (unemployment, financial difficulties, interpersonal conflicts).
10. The court may waive the requirement to interview the person allegedly responsible for the abuse for good cause. When the court waives the requirement, document this in the report and place the court order in the file.
11. If the person alleged responsible for the abuse is a resident at the State Training School, the resident shall be represented by legal counsel during any interview being conducted to obtain information that will be used or may be used against the resident. Contact the superintendent of the facility to initiate contact with the resident’s counsel.

### **Access to Electronic Recordings**

Follow the requirements below for the retention and dissemination of electronic recordings of interviews.

- ◆ Electronic audio or video recordings and their transcripts become part of the case file and are to be retained for the retention period of the report (either five years or ten years). A child protection center shall maintain the electronic recordings or videotapes it records during a child abuse assessment.
- ◆ If an audio or video tape recording is made during the course of an assessment, do not destroy the tapes when the assessment report is completed. Subjects have access to the audio or video recordings upon request. Reasonable reproduction cost may be charged to the subject. The reporter's identity is not to be released.
- ◆ The Department must authorize the child protection center to release electronic recordings to a subject of the child abuse assessment. This authorization must be in writing.
- ◆ The authorization may be made using the [Request for Child and Dependent Adult Abuse Information, form 470-0643](#), but any written statement of authorization will suffice if it includes at least the requester name, subject role, the electronic recording authorized to be released, signature, and date.
- ◆ When necessary, phone authorization may be made before the written authorization. However, the written authorization must be submitted as soon as is reasonably possible.
- ◆ DHS may fax the written authorization to the child protection center stating the center can release the electronic recording. Both the Department and the center may retain a copy of the written authorization for their record stating that a subject received the electronic recording.
- ◆ The child protection center copies the electronic recording, collects reasonable reproduction costs, and provides the electronic recording to requester by mail or in person.
- ◆ If a criminal investigation is conducted concurrently or jointly with the assessment, consult with the county attorney regarding the disposition of the evidentiary material. For example, it may be advisable to give videotapes of interviews made about an allegation of sexual abuse to the county attorney at the conclusion of the assessment.