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Options for Restructuring Iowa's Child Abuse Registry

DES MOINES, Iowa – Iowa could make major changes to the state's child abuse registry, such as reducing the number of years on the list, without jeopardizing safety to children, according to Iowa Department of Human Services Director Charles Krogmeier.

Other options would be to create a new category of abuse specifically addressing the problem of drug-impaired caretakers, and to stop requiring DHS approval of certain hires at nursing homes or childcare centers.

"We aren't ready to make recommendations on any of these changes and we couldn't do any of them without legislative approval," Krogmeier said. "But I'd like to get people thinking about this topic and to offer suggestions."

The registry was created decades ago to keep a record of people who abuse or neglect children but its function has changed over the years as policy makers have required more and more job applicants to be screened against the list.

"We won't consider any change to the registry that would pose a threat to children," Krogmeier said.

"On the other hand, legislators will likely be addressing the registry next year because of the recent Iowa Supreme Court ruling, so it may be useful for them to review options for a broader overhaul."

The court ruled there is inconsistency in the law regarding a common type of abuse – denial of critical care, lack of supervision. Krogmeier said the DHS will recommend a correction to address that narrow issue.

He said DHS experts have been exploring other options as well.

One would be to change the amount of time on the registry. Currently, the perpetrator of a founded abuse is placed on the registry for 10 years. Many people are denied opportunities for jobs or volunteer positions because of the listing.

An alternative, Krogmeier said, would be to reduce the length of time a person is placed on the registry, perhaps five years. People founded for less serious abuses – such as those that did not result in criminal charges – could petition to have their names removed after a period of time.

Changes such as these could reduce the number of people on the registry – currently about 53,000 – by many thousands.

Krogmeier said another possible change would be to re-label abuses for clarity.

A common type of abuse is a drug-impaired caretaker. In the current system, there is no specific category for this abuse. Instead, it is included in the “denial of critical care” category.

A possibility, he said, is to create a new abuse category called “Substance Abuse” that would include drug-impaired caretakers plus two other existing abuse categories – presence of illegal drugs in a child’s system and manufacturing or possession of a dangerous substance.

The change would help renew focus on drug abuse, which remains one of the key indicators of danger for children.

Krogmeier also said policy makers may want to change the way employers access information about the abuse history of a would-be employee.

Under current law, some employers are required to enter information in a computer system that lets them know if a job applicant has a criminal or abuse history. Job applicants must authorize the search.

The computer system yields no details, simply a yes or no. If there is a “hit,” some employers – particularly nursing homes – are required to ask the DHS for permission to hire the applicant.

DHS evaluators check criminal records, which are public, and abuse records, which are confidential, and make a decision. The DHS currently is asked to make these hiring decisions about 7,600 times a year. Most of the checks are for criminal histories and most applicants are cleared for employers to hire.

Criminal histories are already available to employers and to the public in general.

Regarding histories of abuse for job applicants who permit them, Krogmeier said an alternative to a DHS evaluation would be to reveal the category of abuse committed by the applicant and the date it was founded – but no other details – and to let the employer decide about the hire without DHS intervention.

“The employer could then interview the applicant and make a decision, thus getting the government out of the equation,” Krogmeier said.

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