Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

December 23, 2013

Michael Marshall
Secretary of the Senate
State Capitol Building
L O C A L

Carmine Boal
Chief Clerk of the House
State Capitol Building
L O C A L

Dear Mr. Marshall and Ms. Boal:

Enclosed please find the Child Abuse Registry Report.

This report was prepared pursuant to Iowa Code Section 235A.23.

This report is also available on the Department of Human Services website at http://www.dhs.iowa.gov/Partners/Reports/LegislativeReports/LegisReports.html.

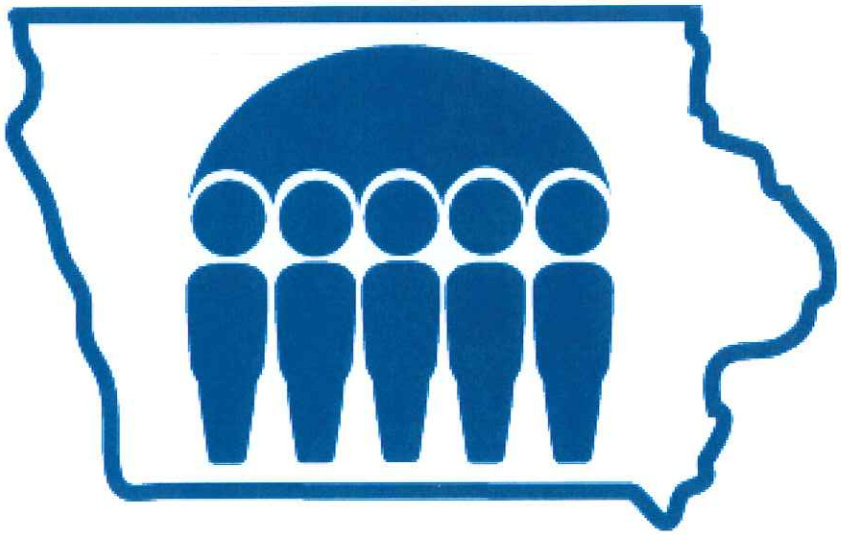
Sincerely,

Jennifer Davis Harbison
Policy Advisor

Enclosure

cc: Governor Terry E. Branstad
Senator Jack Hatch
Senator David Johnson
Representative David Heaton
Representative Lisa Heddens
Legislative Services Agency
Aaron Todd, Senate Majority Staff
Josh Bronsink, Senate Minority Staff
Carrie Malone, House Majority Staff
Zeke Furlong, House Minority Staff

Iowa Department of Human Services



Child Abuse Registry Report
Calendar Year 2012

December 2013

Executive Summary:

Iowa Code 235A.14 requires the Department of Human Services (DHS) to organize and staff a central registry for child abuse information.

Iowa Code 235A.23 requires the DHS to issue an annual report on the central registry regarding its administrative operation and data relevant to child abuse information.

Introduction:

In accordance with Iowa Code 235A.23, the DHS shall issue an annual report on its administrative operation, including information as to the number of requests for child abuse data, the proportion of requests attributable to each type of authorized access, the frequency and nature of irregularities, and other pertinent matters.

Overview:

The Central Abuse Registry is an electronic database used to store report data and disposition data, in accordance with Iowa Code section 232.71D, relating to a particular case of alleged abuse which has been determined to be founded child abuse. This database is part of the Statewide Tracking of Assessment Reports (STAR) system. The DHS maintains the Registry at central administrative offices in Des Moines, Iowa.

The DHS collects, maintains, and disseminates child abuse information from the Registry as provided in Iowa Code section 235A. The Registry contains report data and disposition data, which includes the names of child abuse victims and the names of persons responsible for the child abuse and links these names to the type of abuse identified in the Child Protective Assessment report.

The existence of the Registry is imperative for the protection of victims and potential victims of child abuse by serving as a single, statewide source of child abuse data. This data is also used to facilitate research on child abuse and as an employment-screening tool for authorized employers and licensing boards. Iowa Code section 235A.15 specifies who has authorized access to the child abuse data listed on the Registry.

As a central, front door component of the Registry, the DHS maintains a toll-free telephone line, which is available on a twenty-four hour a day, seven day a week basis. The DHS staff and all other persons may use this line to report cases of suspected child abuse.

Upon receipt of a report of suspected child abuse, the records of the Registry are searched to determine if the records reveal any previous report of child abuse involving the same child, or any other child in the same family, or the person alleged responsible, or other pertinent information with respect to those individuals. This information is provided to the appropriate DHS personnel and law enforcement if applicable.

Law Changes Impacting Child Abuse:

CY 1989 through CY 1995

The Automated Child Abuse and Neglect (ACAN) system was used to store only Registry data (founded child abuse reports) for all Child Abuse Investigations prior to the full implementation of STAR in 1997.

August 1996

The STAR system was developed to store all child abuse data. Prior to this time, there were 19 counties that had implemented Child Protective Assessments (replacing Child Abuse Investigations) and entered child abuse data into Starbase, an interim data base system utilized from December 1995 to August 1996.

On August 19, 1996, the remaining counties also began implementing Child Protective Assessments and entering child abuse data in the STAR system.

July 1997

The ACAN system was no longer used for new Child Abuse Intakes after June 30, 1997. The ACAN system continued to be utilized for child abuse record checks for incidents prior to July 1, 1997.

Child abuse data for all incidents reported statewide, with an intake date of July 1, 1997 or later, were entered in the STAR system.

Child Protective Assessments were fully implemented statewide during fiscal year 1998 (July 1, 1997-June 30, 1998). Polk County was the exception, postponing implementation until September 1998. Child Protective Assessments eliminated the use of Child Abuse Investigations and drastically changed the DHS approach to allegations of child abuse by creating a more positive and strength based approach to working with families.

Iowa Code amendments resulted in a differentiation of findings or outcomes of Child Protective Assessments and a determination made as to whether the incident would be placed on the Registry. This resulted in a significant change in the maintenance of case records, authorized access, and dissemination procedures. Cases where the abuse was not confirmed and cases where abuse was confirmed but not placed on the Registry were not maintained on the Registry, but rather these cases were maintained at the local field offices and collectively within the STAR system.

July 1999

STAR programming had not been completed for the production of cumulative statewide reports on all data elements as reported on the A-4 report produced from ACAN data for the past decade. The five regions were providing monthly STAR data to the program manager for data needs until STAR reports were fully available.

July 2000
STAR data became accessible as a test site on the DATA Warehouse link.

July 2005
Child abuse data is available on the DHS website at:
http://www.dhs.state.ia.us/dhs2005/dhs_homepage/index.html.

July 2011
House File 562 directed the DHS to continue work to ensure the due process rights of a person alleged to have committed child abuse are addressed in a timelier manner while also ensuring that children are protected from abuse. As a result, the following actions were put into place:

- The DHS director agreed to add a staff position to process appeals from the proposed administrative law judge decisions filed and taken by the DHS to the director.
- The Attorney General's Office and the Department of Inspections and Appeals implemented procedure to expedite appeals in cases where employment is at risk, offering the parties the opportunity to have an appeal heard as quickly as six weeks after notification of the appeal.
- The Attorney General's Office agreed to temporarily shift resources to add additional assistant attorneys if necessary to prevent back logs and delays in expedited appeals (those having employment implications).

July 2012
Iowa Code section 235A.19 (House File 562) requires that any proposed decisions made after July 1, 2012 will be the final decision after 45 days if there is not a final decision made prior to that time.

Iowa Code section 235A.18 (House File 2226) requires that a person named on the Registry as having abused a child shall have their name removed from the Registry if that person has not had another founded subsequent report within the ten-year period.

Per House File 2226, the DHS was charged with providing recommendation to the General Assembly regarding the length of time a person named in a child abuse report as having abused a child should remain on the registry and the circumstances under which the department may remove the name of a person named in the report as having abused a child from the report and disposition data prior to the expiration of a ten-year period.

House File 2226 also charged the DHS with completing a comprehensive review to determine whether to recommend implementation of a differential response to child abuse reports. Upon implementation, a differential response system will ultimately decrease the number of persons listed on the Registry for less serious types of abuse.

January 2014

Iowa Code Chapter 232 (House File 590) was amended to implement a differential response system to include two discrete pathways to respond to accepted reports of child abuse. The child abuse assessment pathway requires a determination of abuse and a determination of whether criteria for placement on the Registry are met. The family assessment pathway identifies the families strengths and needs, connects the family to the appropriate services needed, and does not include a determination of abuse or a determination of whether criteria for placement on the Registry are met. The federal Child Abuse Prevention and Treatment Act (CAPTA) also support the use of Differential Response Systems.

Iowa Code section 232.71D (House File 590) was amended to require the child abuse information from a confirmed report of abuse to be placed in the Registry as a case of founded child abuse if the person responsible has a previous confirmed or founded case within the previous 5 years.

Iowa Code section 235A.18 (House File 590) was amended to require a person's name to be removed from the Registry after 5 years if that person committed physical abuse, denial of critical care (DCC), or presence of illegal drugs in a child's body (PIDS) and the child abuse did not result in the child's death or serious injury.

Child Abuse Record Checks:

In accordance with Iowa Code, the DHS processes Registry requests for child abuse background checks for employers, licensing, registration, and certification. In addition, the DHS completes background checks for the general public with signature authorization of the individual. In 2012, the DHS manually processed 49,197 Registry requests for child abuse information.

In addition to Registry requests that are manually processed, authorized employers have access to the Single Contact Repository (SING*) application to perform background checks which report whether there is or is not a "hit" on the Registry for the potential employee. SING does not provide the details as to the type of abuse or the circumstances surrounding the abuse. If the potential employers of a statutorily defined program requests approval to hire, the DHS will review criteria as defined in Iowa Administrative Code and indicate whether the employee is or is not prohibited from serving in the specific employment role based upon the registry placement. In 2012, there were 204,719 total requests through SING.

*SING is an internet application developed and sponsored by the State Department of Administrate Services / Information Technology Enterprise that allows registered users to perform background checks on potential employees, volunteers, and students doing clinicals, from a single web screen. The application lets a user check Iowa criminal history, 3 abuse registries (child, dependent adult, and sex offender) and over 40 Public Health professional license types from one click on the screen.

Considering both manual requests and SING requests, there were a total of 253,916 Registry requests for child abuse information. The DHS is also responsible for the

Registry of Dependent Adult abuse record checks and record maintenance. This information is available in the Annual Dependent Adult Abuse Registry Report.

A historical overview of how the record check process has evolved over time is provided below:

SFY 1996

- The field offices opted to process child abuse record checks in the local offices for day care registration, day care center licensure, adoption and foster care. This process became necessary as a result of the significant time period for the Registry to process the employment checks due to the increasing volume of checks. Local office record checks processing continues to the present.

- Iowa Code section 235A.15 was amended to implement the Open Registry law. This law allows anyone to check the child abuse record of another with that person's authorization. Data regarding this access and usage method by the public is provided in the table below entitled Authorizations to Release Child Abuse Information.

SFY 1999

- Iowa Code section 235A.15 was amended to include access to child abuse information for the Department of Justice, Prosecutors Review Committee and for the general public to have access to child abuse information in cases of child fatalities and near fatalities.

- The implementation of the STAR system is the only automation change for the Registry since ACAN was implemented in 1989. Microfilm continues to be the method of storage.

SFY 2001

- Iowa Code section 235A.15 was amended to add school districts to the authorized list of entities with access for employee and volunteer record checks. Access was also added for professional licensing boards.

SFY 2002

- Iowa Code chapter 235A was amended to increase access to the Registry. The child abuse record checks for childcare staff employment was centralized to a single unit (from field offices to the central office) after reorganization January 14, 2002.

- Iowa Code section 235A.15 was also amended to add hospitals to the authorized list of entities with access for current and prospective employee record checks.

SFY 2004

- Iowa Code section 235A.19 was amended to eliminate the Registry review requirement in the appeal process. A person appealing a founded abuse report is no longer required to have a Registry review decision in order to proceed to an administrative hearing. All appeals are processed through DHS Appeals Division.

SFY 2005

- Iowa Code section 235A.15 was amended to allow access by providers of care for children who are victims of abuse or to the records of persons responsible for abuse. Access was also added for the Early Access services, or a federal, state or local governmental unit or agency of the unit that has a need for information in order to carry out its responsibilities under law to protect children from abuse and neglect.

SFY 2006

- Iowa Code section 235A.15 was amended to allow access by nursing school programs and mandate the Board of Educational Examiners to submit child abuse record checks.

SFY 2012

- Iowa Code section 135C.33 (Senate File 2164) was amended to allow for an exemption from requirements of reevaluation of record checks for health care facility employment if an evaluation by the DHS previously approved employment and current record checks do not indicates a crime was committed or founded abuse record was entered subsequent to that evaluation.

- Iowa Code section 237A.5 (Senate File 2164) was amended to add that a person employed by a child care facility or child care home provider who is hired by another child care facility or child care home provider, shall be subject to a record check. This amendment also allowed for an exemption from any requirements for reevaluation of record checks if an evaluation by the Department previously approved employment and current record checks do not indicate there is a transgression that was committed subsequent to that evaluation.

SFY 2013

- Iowa Code chapters 135B and 135C (Senate File 347) were amended to allow for conditional employment in a hospital or a health care facility and also for conditional participation in a training program for up to 60 calendar days pending completion of the evaluation.

- These amendments established that if an evaluation was previously performed by the DHS and the DHS determined the person's criminal and abuse backgrounds did not warrant prohibition of employment a person who is or was

employed by a hospital and is hired by another hospital the person may commence employment if the conditions specified in the Act are met.

- These amendments establish that if an evaluation was previously performed by the DHS, and the DHS determined the person's criminal and abuse background did not warrant prohibition of employment a new employee may commence employment after 30 days if the conditions specified in the Act are met.

Data Summary:

The Department processed 11,113 requests for entities with authorized access for employment and licensure. This includes a check and documentation on an individual's abuse record or provision of the written report. The following table indicates the types of requests received.

Requests for Child Abuse Information

Fiscal Year	Child Care*	Foster Home*	Adoption*	Employment	CCR&R	Schools	General	Total*
SFY 1998	1,211	1,382	1,884	11,115	1,529		1,893	19,014
SFY 1999	334	990	1,990	8,402	2,282		2,493	16,491
SFY 2000	248	858	2,338	15,817	1,909		3,679	24,849
SFY 2001	38	872	2,392	17,030	2,071		3,823	25,754
SFY 2002	102	1,444	2,298	16,481	2,766	3,053	2,654	28,798
CY 2003	214		2,498	15,129	3,647	6,159	1,767	29,414
CY 2004	240	903	2,025	12,028	1,680	6,320	430	23,626
SFY 2005	301	1,396	2,468	13,082	2,558	6,555	592	26,952
SFY 2006	179	2,037	2,511	9,070	2,078	6,507	771	23,153
CY 2007	325	876	2,314	6,396	2,075	6,604	1,169	19,759
CY 2008	180	224	1,950	8,078	2,152	4,579	1,192	18,365
CY 2009	586	691	1,598	7,879	1,582	1,199	1,102	14,637
CY 2010	413	1,055	1,439	5,729	1,688	1,015	1,868	13,207
CY 2011	390	1,071	1,470	3,886	1,173	666	1,906	10,531
CY 2012	48	1,949	1,449	3,831	1,107	299	2,430	11,113

*Many record checks for child care home providers and licensed center staff are processed by the county offices are not included in the totals indicated in the table above. The foster parents and adoptive parent record checks processed by the county offices are also not included in the total number of requests for child abuse information.

The public is allowed to submit a request for information on an individual if that individual provides signature authorization. The Department processed 38,084 requests from the entities identified in the table below.

Authorization for the Release of Child Abuse Information

Fiscal Year	Churches	Schools	Medical Facilities	Sports Related or Employment	Others	Volunteers	Totals
SFY 1998	150	499	165	545	-	802	2,161
SFY 1999	203	973	111	1,939	-	657	3,919
SFY 2000	427	2,032	439	2,178	-	2,289	7,365
SFY 2001	226	2,814	324	915	-	3,294	7,563
SFY 2002	476	3,366	512	1,541	122	2,922	8,939
CY 2003	1,089	1,442	351	3,317	125	4,249	10,573
CY 2004	1,862	3,298	1	6,039	7	4,530	15,337
CY 2005	1,848	6,368	9	4,316	131	5,876	18,679
SFY 2006	582	9,876	13	9,452	57	6,025	26,005
CY 2007	285	7,624	7	12,234	143	7,089	27,382
CY 2008	408	6,639	39	14,863	198	11,882	33,729
CY 2009	888	5,278	2	15,436	282	12,496	34,382
CY 2010	938	5,074	15	14,593	448	10,307	32,375
CY 2011	411	7,206	16	14,602	442	10,042	32,719
CY 2012	110	8,308	0	17,677	552	11,437	38,084

At the close of each calendar year, the DHS generates statistics for child abuse and neglect. The following table provides the total number of reports accepted for assessment of child abuse and the breakout of findings for those assessments.

General Child Abuse Data and Findings

	Assessments	Abuse Founded	Abuse Confirmed	Abuse Not Confirmed
SFY 1998	20,852	4,550	2,219	14, 083
SFY 1999	18,632	4,728	1,760	12,144
SFY 2000	20,039	5,344	7,204	12,835
SFY 2001	25,105	6,731	8,691	16,414
SFY 2002	24,246	6,452	8,062	16,184
CY 2003	25,490	9,509	Unavailable	15,981
CY 2004	25,270	7,756	1,934	15,580
CY 2005	27,039	7,874	2,041	17,124
CY 2006	24,789	7,529	1,728	15,532
CY 2007	22,991	6,610	1,874	13,507
CY 2008	23,236	6,141	1,840	15,255
CY 2009	25,814	7,011	1,856	16,947

CY 2010	26,413	6,794	2,187	17,432
CY 2011	30,747	7,119	2,593	21,035
CY 2012	28,918	7,132	2,484	19,302

The data counts each report child neglect and abuse. Each report may address one or multiple children; this data counts only the report - or assessment - and not individual children.

Data is counted by calendar year effective CY 2003 to conform to federal data reports.

The total number of assessments in CY 2011 do not reflect an increase in the number of children abused, but rather was a result of reports of abuse that were required to be split into multiple assessments due to a change in practice that further protected confidential information. Abuse for unique children decreased nearly 7 percent from CY 2010.

Conclusion:

The Central Abuse Registry includes a statewide listing of persons who were found to have abused or neglected a child. Access to the Registry is limited to persons or entities with authorized access, as provided in Iowa Code chapter 232.71D. The annual Child Abuse Registry Report provides the General Assembly with non-confidential data related to the purpose of the Registry and serves as a tool for ongoing data analysis.

Requests for child abuse information have increased slightly over the last year yet remain lower than all proceeding years. Most entities made a similar number of requests. Requests by foster homes however increased by just under 900 while requests for schools as well as requests from child care decreased each by a little more than 300. Some record checks for child care are processed by local county offices, which could be a factor in the decreased requests by child care entities.

Authorizations for the release of child abuse information have steadily increased over the years. The most significant increase in authorizations came from sports related or employment entities with 3,075 more over the past year. Authorizations for volunteers rose by 1,395 and authorizations for schools rose by 1,102 while authorizations for churches decreased by 301 and authorizations for medical facilities decreased by 16.

There were nearly 29,000 assessments for abuse or neglect in the last year. In about two thirds of these assessments the abuse was not confirmed, which has been a consistent trend over the years. For assessments where the abuse was confirmed or founded, the statistics show a slight decline in the number of children who were abused or neglected last year.