

Family Support and Child Welfare Administrative Letters -Administrative Letter FSCWSS # 01-2004

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Attention: DSS CPS Supervisors
DSS CPS Social Workers
Children's Developmental Services
Agencies

SUBJECT: REFERRALS OF CHILDREN WITH A FINDING OF "SUBSTANTIATED" OR "IN NEED OF SERVICES" TO EARLY INTERVENTION SERVICES

Date: July 02, 2004
Effective Date Staggered Implementation

:

Two separate federal laws, "Individuals with Disabilities Education Act Amendments of 1997 Public Law 105-17" (IDEA) [Part C], and Child Abuse Prevention and Treatment Act (CAPTA) {Section 106(b)(2)(A)(xxi)}, have been amended to require that children under three who are substantiated for abuse or neglect be referred to and evaluated by the state early intervention program. With North Carolina's existing eligibility definition, such children will also come under the early intervention entitlement, and ongoing early intervention services identified in the Individualized Family Services Plan (IFSP) must be provided. The referral, evaluation and ongoing service delivery requirements go into effect July 1, 2004.

The agencies that will be involved in the evaluation of these children will be the 18 Children's Developmental Service Agencies (CDSA) across North Carolina. Because the CDSAs do not currently have the capacity to respond to the additional number of children needing these evaluations and services, both the Divisions of Public Health and the Division of Social Services have agreed to a staggered implementation process. Phase 1 will begin August 1, 2004. The county Departments of Social Services listed in Phase 1 will be asked to conduct an assessment of any potential fiscal impact to the Departments of Social Services in this process. It is anticipated that there will be minimal impact for DSS. The implementation schedule is attached to this letter.

The County Departments of Social Services are required to refer any child under the age of three who has a finding of "substantiated" or "in need of services". This letter also contains a copy of the referral form developed to refer these specific children. **Please**

note: referrals to Early Intervention Services should continue to be made as they always have whenever a need is identified. Do not wait until the implementation date to refer children, whether substantiated or not, for early intervention services when needed. The implementation schedule pertains only to automatic referrals of children under the age of three with substantiation or in need of services finding.

Training will be provided to both County Departments of Social Services and to the CDSAs over the implementation period. The training dates and locations are listed in a third attachment to this letter. Early Intervention Services and County Departments of Social Services may each send 2-3 persons to the training sessions.

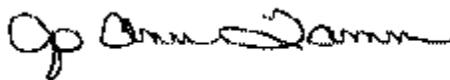
Participation in Early Intervention Services is purely voluntary for the family unless such a referral is a part of the safety plan for the child. Social workers need to discuss the referral with the family before referring the child and obtain the signature of the parent or caretaker on the attached referral form in order for Early Intervention Services to be provided. If the parent agrees to the referral, but refuses to sign the referral form, proceed with the referral process while informing the parent of the process. If the parent refuses the referral and if there are no safety issues related to the Early Intervention Services, document the parent's refusal in the case record.

In addition, members of the CDSA need to become participants in the Child and Family Teams used in the Multiple Response System counties. Since information from these professionals can help to address well being needs as well as other family issues, they are valuable members of the Child and Family Teams. Likewise, DSS staff play an important role in the IFSP process.

Over the past several months, a joint DSS/DPH workgroup has been developing a detailed implementation plan for this initiative. We will be sharing a draft of this plan with you in the near future.

While this initiative has challenges for both agencies, it does afford an excellent opportunity for building on the long history of collaboration between our agencies.

Sincerely,



Jo Ann Lamm, Program Administrator
Family Support and Child Welfare Services
NC Division of Social Services

Sincerely,



Duncan Munn, Branch Head,
Early Intervention Services
C Division of Public Health

cc: Jackie Sheppard

Pheon Beal

Leah Devlin

Kevin Ryan

Carol Tant

Susan Robinson

FSCWSS Team Leaders

Children's Programs Representatives

Attachments:

[Implementation Schedule for CAPTA Required DSS Referrals to Early Childhood Intervention Services](#)

[DSS-5238- DSS Referral form for Early Intervention Services \(CDSA\)](#)

[CDSA/CPS Training Dates and Locations](#)