

Children's Protective Services: Comprehensive Report

(FY 2018 Appropriation Act - Public Act 107 of 2017)

March 1, 2018

Sec. 514. The department shall make a comprehensive report concerning children's protective services (CPS) to the legislature, including the senate and house policy offices and the state budget director, by March 1 of the current fiscal year, that shall include all of the following:

(a) Statistical information including, but not limited to, all of the following:

(i) The total number of reports of child abuse or child neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.

(ii) Characteristics of perpetrators of child abuse or child neglect and the child victims, such as age, relationship, race, and ethnicity and whether the perpetrator exposed the child victim to drug activity, including the manufacture of illicit drugs, that exposed the child victim to substance abuse, a drug house, or methamphetamine.

(iii) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

(iv) The number of cases that resulted in the separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(v) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.

(vi) For the reported complaints of child abuse or child neglect by teachers, school administrators, and school counselors, the number of cases that resulted in separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(b) New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period.

(c) Statistical information regarding families that were classified in category III, including, but not limited to, all of the following:

(i) The total number of cases classified in category III.

(ii) The number of cases in category III referred to voluntary community services and closed with no additional monitoring.

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(iii) The number of cases in category III referred to voluntary community services and monitored for up to 90 days.

(iv) The number of cases in category III for which the department entered more than 1 determination that there was evidence of child abuse or child neglect.

(v) The number of cases in category III that the department reclassified from category III to category II.

(vi) The number of cases in category III that the department reclassified from category III to category I.

(vii) The number of cases in category III that the department reclassified from category III to category I that resulted in a removal.

(d) The department policy, or changes to the department policy, regarding children who have been exposed to the production or manufacture of methamphetamines.



Michigan Department of
Health & Human Services

RICK SNYDER, GOVERNOR
NICK LYON, DIRECTOR

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PA 107 of 2017 sec. 514 (a) (i): Total reports investigated/dispositioned by CPS under the Child Protection Law, 1975 PA 238, MCL 722.621 to 722.638 and the number of cases classified under category I, category II, category III, category IV, and category V.

There were 90,760 total reports of abuse or neglect assigned for investigation in FY 2017. There were 90,152 total cases disposed in FY 2017.

Disposed Cases and Classifications	
Category I	4,595
Category II	7,227
Category III	14,195
Category IV	62,838
Category V	1,295
Other	2
Total	90,152

*Disparity in case disposition totals and investigation totals are the result of case report carry-overs from the previous fiscal year.

PA 107 of 2017 Sec. 514 (a) (ii): Characteristics of perpetrators of abuse or neglect and the child victims.

FY 2017 Victims of Abuse/Neglect by Race and Gender (age 3 and under)							
	White	Black	American Indian	Asian	Native Hawaiian	Unable to determine /Declined	Grand Total
Female	4,265	2,523	95	22	5	143	7,053
Male	4,465	2,845	69	20	6	141	7,546
Unable to Determine	324	256	5	1	0	7	593
Grand Total	9,054	5,624	169	43	11	291	15,192

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FY 2017 Victims of Abuse/Neglect by Race and Gender (age 4 and above)							
	White	Black	American Indian	Asian	Native Hawaiian	Unable to determine	Grand Total
Female	8,033	3,367	105	59	13	93	11,670
Male	7,497	3,260	86	47	16	98	11,004
Unable to Determine	73	30	1	5	0	11	120
Grand Total	15,603	6,657	192	111	29	202	22,794

Victim Relationship to Perpetrator	Total
Adoptive Sibling	18
Adoptive Child	471
Biological Sibling	374
Biological Child	41,394
Child (guardianship)	172
Cousin	54
Foster Child	103
Foster Sibling	2
Grandchild	697
Half Sibling	72
Niece/Nephew	446
Not Related	5,799
Other Relative	530
Putative Child	83
Step Grandchild	26
Step Child	1,575
Step Sibling	15
Unknown	199
Total	52,030

Perpetrator Relationship to Victim	Total
Adoptive Parent	348
Adoptive Sibling	17
Aunt/Uncle	314
Biological Parent	26,064
Biological Sibling	303
Cousin	44
Foster Parent	66
Foster Sibling	5
Grandparent	509
Guardian	141
Half Sibling	60
Legal Guardian	2
Not Related	3,849
Other Relative	410
Putative Parent	82
Step Parent	1,141
Step Sibling	14
Unknown	158
Total	33,527

* A single perpetrator can have multiple relationships if the individual is a perpetrator to multiple victims.

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Perpetrator by Age	Total
0-20	1,587
21-30	13,450
31-40	10,739
41-50	3,893
51-60	1,207
61-70	333
71-80	79
81-90	15
91-100	24
Unknown	74
Total	31,401

Perpetrator by Race	Total
White	21,089
African American	9,148
American Indian	368
Asian	153
Native Hawaiian	29
Unable to Determine	577
Total	31,364

Children Victims Exposed to Drug Activity

An enhancement is needed in MiSACWIS (Michigan's State Automated Child Welfare Information System) as this is not currently captured within the system. A request to make a design change to MiSACWIS has been made.

PA 107 of 2017 Sec. 514 (a) (iii): The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

68.7% of all reports made during FY 2017 were made by mandated reporters. The remaining 31.3% were made by non-mandated reporters.

*Disparity between the total number of disposed cases for FY 2017 and the total number of reporters is due to multiple factors, including: a referral made during the FY may not have been disposed of during the FY, along with multiple reporters can call in the same complaint, which would be assigned as one investigation with multiple complaint sources.

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Mandated Reporter Category	
Audiologist	2
Case Management Staff	0
Childcare Provider	501
Clergy	128
Coroner/Medical Examiner	11
Court Personnel	1,003
Counselor/Therapist	0
Dentist/Registered Dental Hygienist	84
DMH Facility Personnel	93
DMH Facility Social Worker	315
Domestic Violence Provider	82
FIS/ES Worker/Supervisor	732
Friend of the Court	193
Hospital/Clinic Personnel	554
Hospital/Clinic Physician/Physician's Assistant	1,298
Hospital/Clinic Social Worker	9,843
Law Enforcement Personnel	14,628
Licensed Therapist	3,151
Marriage/Family Therapist	452
MDHHS Facility Personnel	169
MDHHS Facility Social Worker	150
Nurse (Not School)	2,682
Other	677
Other Public Social Agency Personnel	1,102
Other Public Social Worker	1,436
Other School Personnel	2,342
Other Social Worker	1,328
Paramedic/EMT	138
Private Agency Social Worker	1,390
Private Physician/Physician Assistant	178
Private Social Agency Personnel	567
Psychologist	400
School Administrator	2,533
School Counselor	5,334
School Nurse	241
Social Services Specialist/Manager (CPS, CFC, etc.)	4,054
Teacher	5,694
Total	63,485

Non-Mandated Reporter Category	
Anonymous	5,077
Birth Match	454
Friend/Neighbor	7,471
Other	200
Parent/Sub In Home	2,252
Parent/Sub Out of Home	6,185
Relative	6,820
Sibling	240
Victim	256
Total	28,955

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PA 107 of 2017 Sec. 514 (a) (iv): Cases involving child separation from parent or legal guardian.

In FY 2017, 7,429 children were separated from a parent or legal guardian. The period of time of the separation of a child from the parent or guardian is not captured through the CPS program; however, this information includes separations up to, and including, termination of parental rights.

PA 107 of 2017 Sec. 514 (a) (v): Disposition categories for complaints made by teachers, school administrators, and counselors.

For the 13,347 reported assigned complaints of abuse or neglect by teachers, school administrators, and school counselors, 13,347 investigations occurred. Of the 13,347 cases, 292 were classified as category I cases, 757 were classified as category II cases, 1,190 were classified as category III cases, 10,937 were classified as category IV cases, and 133 were classified as category V cases.

There were 38 cases with an unknown status. When these cases were reviewed further, the disposition categories were blank in MiSACWIS, which is a MiSACWIS error as complaints need a category of disposition in order to be disposed of.

PA 107 of 2017 Sec. 514 (a) (vi): Cases involving child separation from parent or legal guardian specific to cases reported by teachers, school administrators, and counselors.

For the reported assigned complaints of abuse or neglect by teachers, school administrators and school counselors, 543 children were separated from the parent or guardian and seven children had the parental rights of their parent(s) terminated. The period of time of the separation of a child from the parent or guardian is not captured through the CPS program; however, the status of these separated children at the close of FY 2017 can be determined. During FY 2017, 158 children had their foster care case closed and 385 remained open at the end of the fiscal year.

PA 107 of 2017 Sec. 514 (b): New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period are listed below:

CPS Legal Requirements and Definitions: PSM 711-4

Definitions of sex trafficking and labor trafficking were added to policy under the human trafficking section.

Intake – Minimal Priority Response Criteria: PSM 712-04

Policy was updated to indicate only a single successful commencement is needed per investigation.

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CPS Intake – Special Cases: PSM 712-6

A link to the Michigan Department of Health and Human Services' (MDHHS) Human Trafficking Protocol was added into policy, as was a high level overview of the protocol. Contact information was included regarding the MDHHS Child Welfare Policy inbox e-mail address to ensure supervisors could obtain information on this policy, as well as receive guidance regarding all human trafficking related cases.

The Substance Use by Caretaker section was also updated. This policy now refers workers to PSM 716-7, Substance Use Disorder Cases, to address concerns regarding substance use.

CPS Investigation – General Instructions and Checklist: PSM 713-1

Policy was amended to include direction for investigators to contact non-custodial parents at the earliest point possible in the investigation. Additionally, language was added to reflect that MDHHS should not maintain recorded interviews conducted by Children's Assessment Centers.

Law Enforcement Information Network (LEIN): PSM 713-02

This policy was made obsolete. Policy regarding LEIN usage by MDHHS employees is now located under SRM 700.

Special Investigative Situations: PSM 713-08

A link to the MDHHS Human Trafficking Protocol was added into policy, as was a high level overview of the protocol. This section also includes information on the need to notify law enforcement of any investigation alleging human trafficking.

Completion of Field Investigation: PSM 713-09

Policy was updated to include additional types of allowances for investigation extension requests. Policy also allows for approval of extension requests for reasons not included in policy, if approved by the director of field operations or their designee.

Child Abuse and Neglect Central Registry: PSM 713-13

To reflect legal clarification, licensed foster parents, owners, operators, volunteers, or employees of licensed or registered child care organizations must be listed on Central Registry in any case in which there is a preponderance of evidence of child abuse and/or neglect, when the victim is not their own child.

CPS Coordination with Foster Care: PSM 715-4

Policy was updated to indicate CPS retains responsibility of a case if the child(ren) are not expected to be out of the home for seven days or less. If the child(ren) are expected to be outside the home for eight or more days, the responsibility of the case will be transferred to foster care. This does not apply for initial placements with non-custodial parents. Previous policy indicated CPS would retain the responsibility of the case if the children were expected to return home within twenty-one days.

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Confirmed Sexual Abuse Cases: PSM 716-5

This policy item was made obsolete and information was added to PSM 714-2, CPS Supportive Services.

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Substance Use Disorder Cases: PSM 716-7

Safe Care Plans were added to policy, as were the requirements of what must be included in a Safe Care Plan. Regardless of the disposition of the case, workers must make a referral to community based services when an infant is effected by substance use. This complies with the Comprehensive Abuse and Recovery Act, identified in 2016 as a CAPTA requirement.

Policy was updated to indicate mandated reporters were no longer required to contact Centralized Intake regarding controlled substance exposure of a newborn if the reporter confirmed the exposure was due to medication-assisted treatment. Policy was also updated to include criteria for assignment of substance positive infants to be based on positive urine screen, positive meconium screen, or positive umbilical cord tissue testing. Mandated reporters are informed of their responsibility to make a report once a positive screen was obtained, or if the infant began exhibiting symptoms of exposure to a controlled substance.

Worker safety is also addressed in this policy. Workers must now coordinate with law enforcement regarding complaints involving allegations of manufacturing, selling, distribution, or use of methamphetamine and Carfentanil, or production or extraction of marijuana butane hash oil.

PA 107 of 2017 Sec. 514 (c): The information required under section 8d(5) of the Child Protection Law, 1975 PA 238, MCL 722.628d, pertains to information regarding families that were classified in category III.

Category III cases are typically identified as having two distinct sub-classifications which require referring to voluntary community service and close, *or* referring to voluntary community service and monitoring for 90 days. In FY 2017, there were 18,976 identified victims in all category III cases. There were 4,691 victims which were identified as having more than one confirmed maltreatment.

There were 11 cases that had an unknown/other option selected. When these cases were reviewed further, 4 cases indicated no evidence/insufficient evidence but were opened, and seven cases were blank.

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Category III Options	Total Cases
90 day monitoring	3,457
Open/Close	10,727
Other	11
Grand Total	14,195

**An enhancement was recently created in MiSACWIS to allow category III case escalations to be completed in the system. This enhancement was released on 12/27/2017. Prior to the release, this information was unable to be captured in MiSACWIS.*

PA 107 of 2017 Sec. 514 (d): CPS Policy regarding methamphetamine exposure.

The department has not made any changes to CPS policy regarding children who have been exposed to the production or manufacturing of methamphetamine during FY 2017. MDHHS policy requires all complaints regarding children who have been exposed to the production or manufacture of methamphetamines be assigned for investigation. The Michigan Child Protection Law (CPL) (MCL 722.623 and 722.628) requires MDHHS to refer to the prosecutor and law enforcement within 24 hours of receipt of all complaints with allegations that indicate potential violations of the public health code involving methamphetamine (MCL 333.7401c). The CPL, Section 17, requires MDHHS to file a petition for court jurisdiction within 24 hours of determining a preponderance of evidence exists that a child has been exposed to or had contact with methamphetamine. The department must also obtain a medical examination of all child victims and any other children residing in the household when a child has been exposed to or had contact with methamphetamine.