



**Children’s Services
Administration**

**Communication
Issuance**

22-125

Subject/Title	DCWL Children’s Protective History Review for Employment 11/1/22
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Distribution	<input checked="" type="checkbox"/> CSA Central Office Managers/Staff <input checked="" type="checkbox"/> MDHHS BSC and County Directors <input checked="" type="checkbox"/> MDHHS Juvenile Justice Managers/Staff <input checked="" type="checkbox"/> MDHHS Child Welfare Managers/Staff <input checked="" type="checkbox"/> Native American Tribes <input checked="" type="checkbox"/> Office of Workforce Development and Training <input checked="" type="checkbox"/> Private Agency Child Welfare Managers/Staff <input checked="" type="checkbox"/> Private Residential Abuse/Neglect Managers/Staff <input checked="" type="checkbox"/> Private Residential Juvenile Justice Managers/Staff <input type="checkbox"/> Other:

Effective November 1, 2022, only confirmed cases of methamphetamine production, confirmed serious abuse or neglect, confirmed sexual abuse, or confirmed sexual exploitation will be classified as a Central Registry (CR) case in Michigan. Individuals may have child welfare history that previously resulted in CR placement, but that would no longer meet the criteria. In addition, select criminal convictions involving children will result in placement on CR. New legislation passed through a series of bills resulting in Public Acts 64, 71, and 72 of 2022. A portion of this legislation states “...18) in addition to the CR clearance, the department must search Children's Protective Services (CPS) records to determine if an applicant or licensee, relative, adult member of the household, licensee designee, chief administrator, staff member, or unsupervised volunteer has a CPS history before making a licensing or placement determination or provide clearance for staff employment or a volunteer in a child caring organization.”

Child Placing Agencies (CPA) and Child Caring Institutions (CCI) entities should ensure two policies are implemented for their agencies pertaining to adherence to the CR changes. The policies at minimum should include the following provisions:

1. All applicants are required to disclose CPS case history where the applicant was found responsible for the abuse or neglect of a child regardless of whether the case resulted in placement on CR. The applicant must provide a written narrative describing case/s as well as explanation of changes the individual has made to mitigate their previous actions.
2. All employees are required to disclose CPS cases where the applicant was found responsible for the abuse or neglect of a child regardless of whether the case resulted in placement on CR within one business day of a case disposition. It is the employee’s responsibility to immediately communicate this information to their immediate supervisor and the applicable Human Resources (HR) department. The employee must provide a written narrative describing

the case details as well as an explanation of changes the individual has made to mitigate their previous actions.

The Division of Child Welfare Licensing (DCWL) will conduct the Michigan CPS records search for all CPA and CCI effective November 1, 2022. At a minimum, DCWL will use the following criteria to determine if an individual is eligible for employment:

- Review of the CPS report/s.
- Length of time since prior CPS involvement.
- What happened.
- If CR placement occurred and expungement requested the date of the prior expungement and reasons for expungement.
- Review of all history of CPS involvement.
- The individuals own statement of event/s and the case/s.
- Does the individual take responsibility.
- What has the individual learned.
- Do reports or individual describe services provided.
- Assessment of changes made by the individual to demonstrate their understanding of the safety risks.
- Assessment of the root causes of the CPS history having been rectified (lifestyle changes, etc.) to prevent future occurrences.

Prior to hiring a new employee or upon an employee disclosing a new CPS case, the HR representative of a CPA or CCI is required to notify DCWL utilizing the CWL-4624 or utilizing the CWL-1326-CCI if applicable, along with the applicant's written narrative of their history in an encrypted email to the MDHHS-LASO-DCWL@michigan.gov mailbox with the **Subject Line: CPS Records Search Request for Potential New Hire or Subject Line: CPS Record Search for Current Employee**. DCWL will complete an Administrative Review within 5 business days of receipt or communicate to the agency the need for additional information or the need for an extension. DCWL will provide a written decision to the agency within 2 business days of the Administrative Review. If the applicant or employee disagrees with the decision, they may request a final review by the director of DCWL via email to the MDHHS-LASO-DCWL@michigan.gov mailbox with the Subject Line: CPS Records Director Review Request.