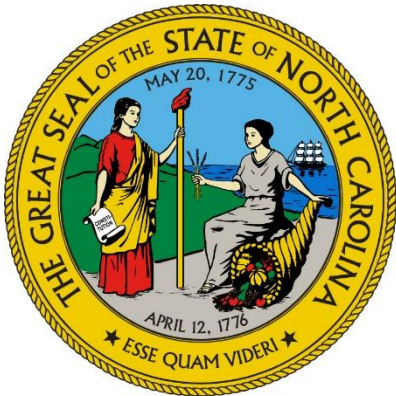


NC Department of Health and Human Services



Mandatory Reporting of Suspected Child Abuse, Neglect and Dependency

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**CFTF Intentional Death Prevention Committee
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Statutory Requirements for Reporting

- **Federal Law**

- **Child Abuse Prevention and Treatment Act (CAPTA):**

- “[a] State plan . . . shall contain a description of the activities that the State will carry out using amounts received under the grant to achieve the objectives of this title, including . . . an assurance in the form of a certification by the Governor of the State that the State has in effect and is enforcing a State law, or has in effect and is operating a statewide program, relating to child abuse and neglect that includes provisions or procedures for an individual to report known and suspected instances of child abuse and neglect, **including a State law for mandatory reporting by individuals required to report such instances.**”

SOURCE: 42 USCS § 5106a(b)(2)(B)(i)

Statutory Requirements for Reporting

- **North Carolina Law**

N.C.G.S. [§7B-301](#), Duty to report abuse, neglect, dependency, or death due to maltreatment:

“Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined N.C.G.S. §7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the department of social services in the county where the juvenile resides or is found.”

N.C.G.S. §7B-301, Duty to report

- **Anyone** who suspects child abuse, neglect, or dependency must report their concerns
- Reports must be made to the county DSS where the juvenile resides or is found
- May be made orally, by telephone or in writing
- Reporter must give their name, address and telephone number
- Class 1 misdemeanor for knowingly or wantonly failing to report

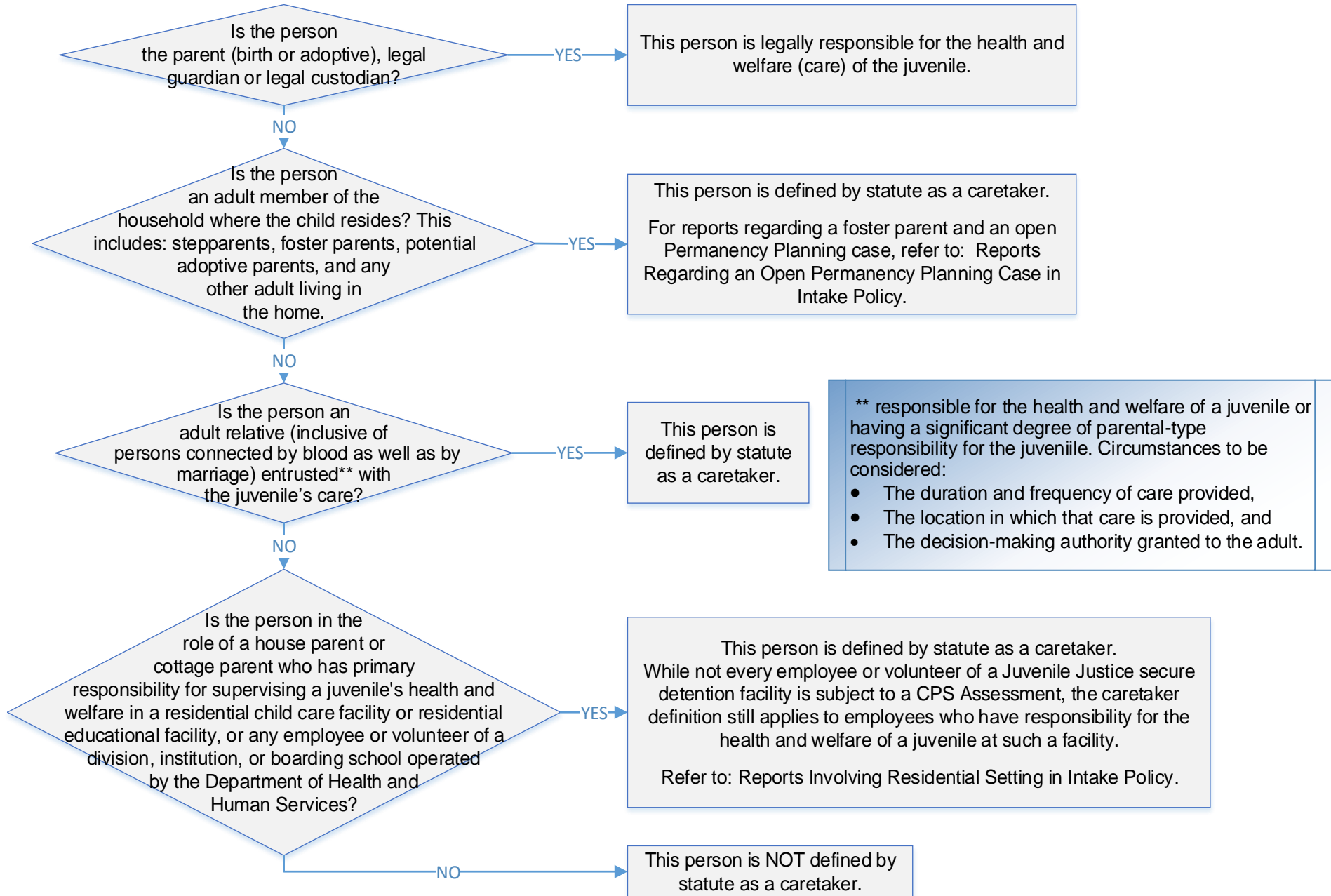
Authority to Intervene – G.S 7B-101

- **3 statutory thresholds**
 - A juvenile
 - A parent, guardian, custodian, or caretaker (exception is human trafficking)
 - A form of maltreatment (abuse, neglect, dependency)
- **CPS Structured Intake process to determine if report meets statutory requirements**

Caretaker Definition – G.S. 7B-101

- **Any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of a juvenile in a residential setting.**
- **A person responsible for a juvenile's health and welfare means:**
 - a stepparent, foster parent, potential adoptive parent when a juvenile is visiting or as a trial placement
 - an adult member of the juvenile's household,
 - an adult relative entrusted with the juvenile's care,
 - or any person such as a house parent or cottage parent who has primary responsibility for supervising a juvenile's health and welfare in a residential child care facility or residential educational facility or any employee or volunteer of a division, institution, or school operated by the Department of Health and Human Services.

CARETAKER DEFINITION DECISION TOOL



Authority to Intervene: The Human Trafficking Exception

A child who is a victim of human trafficking is an abused and neglected child, *regardless of his or her relationship with the perpetrator.*

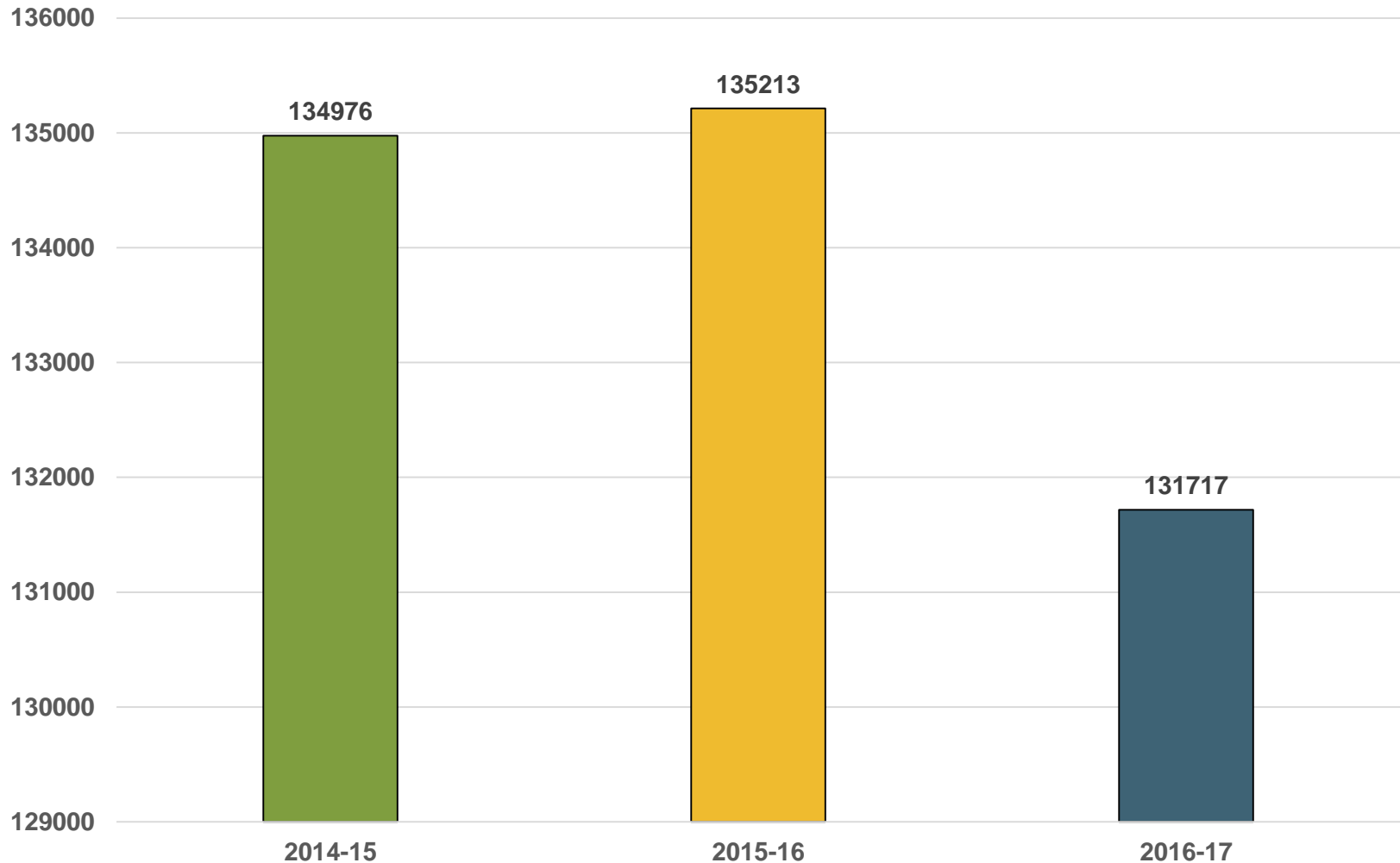
Session Law 2018-68 (House Bill 776)

Adoptions and Juvenile Law Changes

Session Law 2018-75 (Senate Bill 162)

Human Trafficking and Restorative Justice

Total Number of CPS Reports by SFY



SOURCE: Child Welfare Workforce Data Books, NC DSS

Number of Reports Screened-In by Reporter Type by SFY

Type of Reporter or Referral Source	SFY 14-15	SFY 15-16	SFY 16-17	SFY 17-18
Anonymous	8,007	7,756	6,910	6,279
Child Care Provider	557	470	496	483
Educational Personnel	12,275	11,969	12,139	12,742
Human Service Personnel	10,071	9,526	8,744	8,437
Law Enforcement or Court Personnel	13,326	14,182	14,301	13,408
Medical Personnel	7,622	8,398	8,649	9,872
Non-Relative	7,477	7,031	7,058	6,487
Parent	4,752	4,434	4,194	4,298
Relative	7,845	7,798	7,795	7,290
Victim	318	302	272	220
Other				511
TOTAL	72,250	71,866	70,558	70,027

SOURCE: Central Registry and NC FAST for 11 counties for a partial year in SFY 17-18

Number of Reports Screened-In by Type Reported

Type Reported	SFY 14-15	SFY 15-16	SFY 16-17	SFY 17-18
Abuse	4,019	3,887	3,830	3,834
Abuse and Neglect	4,916	4,742	4,887	4,650
Dependency	478	551	634	626
Neglect	62,838	62,686	61,207	60,013
Other				904
Total	72,250	71,866	70,558	70,027

SOURCE: Central Registry and NCF for 11 counties for a partial year in SFY 17-18

Notifications to Reporter – G.S. 7B-302(F)

- **Requires written notice to the reporter as to whether the report was accepted and it was referred to law enforcement.**
- **Child Welfare policy requires that the notice provides:**
 - Basis for a decision to screen-out
 - Information regarding the process for obtaining a review of the agency's decision to screen-out
 - Contact information for the assigned child welfare staff

Educating the Public

- **Federal Law**

- **Child Abuse Prevention and Treatment Act (CAPTA):**

- (10) developing and delivering information to improve public education relating to the role and responsibilities of the child protection system and the nature and basis for reporting suspected incidents of child abuse and neglect, including the use of differential response

- (D)(iii) a description of the training to be provided under the grant for individuals who are required to report suspected cases of child abuse and neglect

- **Prevent Child Abuse North Carolina**

SOURCE: 42 USCS § 5106a(10) and (b)(2)(D)(iii)

Centralized State Report Hotline

- **CSF recommendation in Child Welfare Preliminary Reform Plan**
- **Advantages to County-Based Intake cited**
- **Centralized Intake:**
 - Clarity for reporters on number to call
 - May provide more consistency in screening decisions
 - Could lift burden for resourcing CPS intake on 24/7 basis at county level (especially small counties)
 - More comprehensive prevention planning



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