

### Overview of the SCAN Policies Database

The State Child Abuse and Neglect (SCAN) Policies Database compiles data on the definitions and policies that states use in their surveillance of child maltreatment, along with data on associated risk and protective factors. The SCAN Policies Database is funded by the Office of Planning, Research, and Evaluation in collaboration with the Children's Bureau in the Administration for Children and Families at the U.S. Department of Health and Human Services. The project team is led by Mathematica in partnership with Child Trends.

The project's purpose is to review and compile information from states' definitions and policies, to create a database of those definitions and policies (the SCAN Policies Database) that can be used for analysis. The database is a resource for researchers, analysts, and others who are interested in examining differences between states in their definitions and policies on child maltreatment.

#### Content

The scope of the SCAN Policies Database includes information about state definitions and policies related to child abuse and neglect for all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. This information represents data collected, reviewed, and verified between May 2019 and July 2020. The data reflect the state definitions and policies for the calendar year 2019. The scope of topics in the SCAN Policies Database includes states' definitions of child abuse and neglect as well as information about policies related to reporting, screening, and investigating child maltreatment. Key aspects of the child welfare systems' responseand context are also included.

The content in the database is organized into six domains. The state profiles, codebook, data collection protocol, and data file are also organized by these domains. In the protocol, each question is named with a prefix that identifies its associated domain. The six domains are listed below, with the identifying protocol number prefix.

Domain	Question prefix
Definitions	D
Reporting	R
Screening	S
Investigation	1
Child welfare response	W
Child welfare system context	С

#### **State Profile**

This SCAN Policies Database state profile serves as a summary of the information collected about the definitions and policies for the identified state. Each profile is organized by topical domains, which contain a set of tables that depict the state's information for each variable within that domain.

2019

This information was gathered through a document collection, review, and coding process conducted by the SCAN Policies Database team. Input from states on data collection was obtained through a confirmation and verification process. More information about the SCAN Policies Database data collection procedures can be found in the data user's guide and data collection protocol which are accessible from the Data Use Resources page <a href="https://www.scanpoliciesdatabase.com/data-use-resources">https://www.scanpoliciesdatabase.com/data-use-resources</a>.

The state profile presents responses for each variable with "yes," "no," "unknown," or other response as appropriate. The response of "unknown" was used for topics that could not be located from the state's available resources or verified with the state. In some cases, "logical skip" was used when a question was not applicable to a particular state given a related response on a preceding question.

#### Data use resources

Several data use resources are available to support users of the SCAN Policies Database:

- Data user's guide: The guide has detailed information about the data set, including the process used to collect and review the data, the scope of information included in the data set, guidance on using the data, such as how to link the data with other data sources; and notes about specific topics. This data user's guide also has two appendices. Appendix A provides a glossary of key terms. Appendix B summarizes the decisions made on the scope and variables to include in the SCAN Policies Database after a data quality assessment.
- Codebook: The codebook provides information about each variable in the data set, including variable names, labels, definitions, protocol number, variable type, and frequencies. The codebook has two appendices. Appendix A contains supplemental notes that are important for accurately interpreting and using the data. Appendix B is a comprehensive list of all state statutes and policy documentation sources used to collect data for the SCAN Policies Database for each state, District of Columbia, and Puerto Rico.
- Data collection protocol: The protocol has the questions used to collect information about states' statutes and policies as part of the data review and coding process. Appendix A provides a glossary of key terms.

These data use resources can be found on the SCAN Policies Database website (<a href="https://www.scanpoliciesdatabase.com/data-use-resources">https://www.scanpoliciesdatabase.com/data-use-resources</a>) or from National Data Archive for Child Abuse and Neglect (NDACAN) (<a href="https://www.ndacan.acf.hhs.gov/">https://www.ndacan.acf.hhs.gov/</a>).

#### **More Information**

More information about the SCAN Policies Database can be found at <a href="https://www.scanpoliciesdatabase.com">https://www.scanpoliciesdatabase.com</a>. General inquiries can be submitted to <a href="mailto:SCANPoliciesDatabase@mathematica-mpr.com">SCANPoliciesDatabase@mathematica-mpr.com</a>.

2019

## **State Identifying Information**

## Table I.A. State identifying information

	Response
a. State abbreviation	NE
b. State Federal Information Processing Standard (FIPS) code	31
c. Census region code	Midwest
d. State verified coding of information	Yes
e. State confirmed documents reviewed	Yes
f. State definitions and policies for calendar year	2019

## **Domain D: Definitions of child maltreatment**

Table II.A. State's definition of child maltreatment

	of the state's definition of child mattreatment	Permanes
1.	Types of maltreatment included in state	Response
	definition	
a.	Physical abuse	Yes
b.	Excessive corporal punishment	Yes
C.	Sexual abuse	Yes
d.	Emotional maltreatment	Yes
e.	Neglect	Yes
f.	Inadequate clothing	Yes
g.	Inadequate shelter	Yes
h.	Malnourishment, inadequate food	Yes
i.	Medical neglect, inadequate medical care	Yes
j.	Failure-to-thrive	Yes
k.	Educational neglect	Yes
I.	Abandonment	Yes
m.	Injurious environment. Likelihood of harm to child's health, physical well-being	Yes
n.	Drug Lab. Child present within structure where methamphetamine is being created	Yes
0.	Inadequate supervision. Failure to meet parent or caretaker responsibilities	Yes
p.	Drug or alcohol misuse. Parental drug or alcohol misuse causing harm to child	Yes
q.	Prenatal exposure to drugs or alcohol	Yes
r.	Illicit substance. Illegally providing a controlled substance to a child	Yes
S.	Human trafficking, involuntary servitude, sexual servitude	Yes
t.	Female genital mutilation	No
u.	Shaken baby syndrome, abusive head trauma	Yes
٧.	Failure to protect. Failure to protect from harm	Yes
W.	Domestic violence. Exposure to domestic violence	Yes
Х.	Factitious disorder by proxy	No
у.	Institutional abuse/neglect	No
Z.	Other definition (specify)	No
2.	Subtypes of maltreatment included in state definition	
a.	Subtypes of maltreatment considered abuse	Abuse is inclusive of all types of child maltreatment
b.	Subtypes of maltreatment considered neglect	Not applicable
C.	Subtypes of maltreatment considered other than abuse or neglect	Not applicable

2019

### Table II.A (continued)

		Response
3.	Level of harm included in state's definition of child maltreatment	
a.	Inflicts harm	Yes
b.	Imminent danger or substantial risk of harm	Yes
4.	Differences in level of harm included in state's definition of child maltreatment by type of maltreatment	No
5.	Type of harm or injury specified in state's definition of child maltreatment	
a.	Death, bodily injury, impairment of physical condition	Yes
b.	Impairment of mental or emotional condition	Yes
C.	Harmful environment, conditions	Yes
d.	Type of harm or injury not specified	No
e.	Other (specify)	No
6.	Variation in extent of injury or harm by maltreatment type in the state's definition of child maltreatment	No
7.	Perpetrator identified as part of state's definition of child maltreatment	No
8.	Types of perpetrators specified as part of state's definition of child maltreatment	
a.	Any adult	Logical Skip
b.	Parent	Logical Skip
C.	Guardian	Logical Skip
d.	Caregiver/caretaker	Logical Skip
e.	Family member/parent paramour	Logical Skip
f.	Household member	Logical Skip
g.	Person responsible for child	Logical Skip
h.	Other (specify)	Logical Skip
9.	Types of perpetrators vary by type of maltreatment	Logical Skip
10.	Explanation of variation in types of perpetrator by maltreatment type	Not applicable
11.	Child age included in definition of child maltreatment	Yes
12.	Specific child age in definition of child maltreatment	Under age 18 and up to 21 if in the care of the agency and variability under 18
13.	Variability of child age by type of maltreatment	Yes - Methamphetamine exposure applies to persons under 19; Abandonment and neglect applies to children under 16; Left unattended in a motor vehicle applies to children 6 or younger

2019

Table II.B. Child maltreatment definition exemptions

		Response:
		Yes/No/Unknown
1.	Exemption included in state's definition of child maltreatment	
a.	Financial issues, financial inability to provide for a child	Yes
b.	Discipline, physical discipline as long as it is reasonable and causes no bodily injury to the child	Yes
C.	Safe haven exemption, newborn relinquished or abandoned in accordance with infant safe haven laws	Yes
d.	Infant testing positive drugs – medical, newborn with positive test for controlled substance as a result of parent's medical treatment	No
e.	Religious observance, parent relies on spiritual or religious forms of medical treatment	No
f.	Other exemption (specify)	No
2.	Safe haven exemption included in state's definition of child maltreatment	
a.	Must leave a child at specific safe haven locations	Yes
b.	Child must be left by parent or parent's agent	No
C.	Child must be left by a certain age (specify)	Yes - 30 days old or younger
d.	No intent to return	No
e.	Child must be left unharmed	No
f.	Other (specify)	No

# Domain R: Reporting child abuse and neglect

Table III.A. Reporting policies

Table III.A. Reporting policies	D
A Olivia The controlled to the Control	Response
1. Statewide centralized reporting	Yes
2. How reporting is decentralized	
a. Each county or region has its own reporting hotline	Logical Skip
b. Some counties or regions have own reporting hotline	Logical Skip
c. During some times of the day, counties or regions have their own reporting hotline	Logical Skip
d. Other (specify)	Logical Skip
3. Standard for reporting child maltreatment	
a. Known abuse and neglect	Yes
b. Reasonable cause to believe a child was abused or neglected	Yes
4. Universal mandated reporting	Yes
5. Required training for mandated reporters	No
6. Penalties for failure to report	Yes, all adults
7. Specific penalties for failure to report	
a. Criminal charges	Yes
b. Civil charges	No
c. Professional licensure suspended or revoked	No
d. Other (specify)	No
8. Penalties for false reporting	No
9. Specific penalties for false reporting	
a. Criminal charges	Logical Skip
b. Civil charges	Logical Skip
c. Professional license suspended or revoked	Logical Skip
d. Other (specify)	Logical Skip
e. Unknown	Logical Skip
10. Immunity for reporters of child abuse and neglect	Yes
11. Information requested at the time of report	
a. Identifying information of child	Yes
b. Location/contact information of child and family	Yes
c. Type/severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	Yes
e. Identifying and other information of alleged perpetrator(s)	Yes
f. Identifying and other information of reporter	Yes
g. Identifying information of child's parents, guardian, or caregiver/caretaker	Yes
h. Identifying and other information of family/household members	Yes
i. Information on prior maltreatment	Yes
j. Other (specify)	No
12. Anonymity of reporter	
a. All reporters (including mandated reports) can stay anonymous	Yes

2019

### Table III.A (continued)

	Response
b. The general public can be anonymous (mandated reporters cannot remain anonymous)	No
c. Reporters (including mandated reporters) cannot be anonymous	No
d. Unknown	No
13. Tribal involvement in accepting reports of tribal cases	
a. Tribes are not involved	Yes
b. Tribes accept reports (specify tribes)	No
c. Collaboration of tribes with state/local public child welfare agency accept reports (specify tribes)	No
d. Unknown	No

Table III.B. Types of mandated reporters

	Response	Response	Response
1. Types of mandated reporters	Included in state's definition of mandated reporters	Training required <sup>1</sup>	Subject to penalties for failure to report <sup>2</sup>
a. Foster parents	Yes	Logical Skip	Yes
b. School staff – teachers	Yes	Logical Skip	Yes
c. School bus drivers or other transportation staff	Yes	Logical Skip	Yes
d. Before/after school program staff	Yes	Logical Skip	Yes
e. Child care staff	Yes	Logical Skip	Yes
f. Camp counselors, directors, or administrators	Yes	Logical Skip	Yes
g. Athletic coaches or staff	Yes	Logical Skip	Yes
h. Medical or dental professionals	Yes	Logical Skip	Yes
i. Substance abuse disorder treatment providers	Yes	Logical Skip	Yes
j. Mental health, counselors, or other social service professionals	Yes	Logical Skip	Yes
k. Police or other law enforcement	Yes	Logical Skip	Yes
I. Emergency medical technicians, firefighters, or other emergency personnel	Yes	Logical Skip	Yes
m. Judges	Yes	Logical Skip	Yes
n. District attorneys or other attorneys	Yes	Logical Skip	Yes
o. Guardian ad litems or Court-appointed special advocates	Yes	Logical Skip	Yes
p. Other court personnel	Yes	Logical Skip	Yes
q. Shelter staff	Yes	Logical Skip	Yes
r. Those who work in fields processing or monitoring print, film, or computer images	Yes	Logical Skip	Yes
s. Religious clergy	Yes	Logical Skip	Yes
t. Volunteers	Yes	Logical Skip	Yes
u. Other type of mandated reporter (specify)	Yes	Logical Skip	Yes - Not specified

<sup>&</sup>lt;sup>1</sup>Responses in this column can equal logical skip when the given type of mandated reporter is not included in the state's definition of mandated reporters or when no training is required for mandated reporters (Table III.A.5). Responses in this column can be yes when a state has universal mandated reporting (Table III.A.4) and all mandated reporters require training (Table III.A.5).

2019

### Table III.B (continued)

<sup>2</sup>Responses in this column can equal logical skip with the given type of mandated reporter is not included in the state's definition of mandated reporters or when no mandated reporters are subject to penalties (Table III.A.6). Reponses in this column can be yes when a state has universal mandated reporting (Table III.A.4) and when all adults or all mandated reporters are subject to penalties (Table III.A.6)

2019

## Domain S: Screening reports of child abuse and neglect

## Table IV.A. Screening policies

	Response
1. Statewide centralized screening	Yes
2. How screening is decentralized	
a. Each county or region has its own screening unit	Logical Skip
b. Some counties or regions have their own screening units	Logical Skip
c. During certain times of the day, counties or regions have their own screening units	Logical Skip
d. Other (specify)	Logical Skip
3. Information required to screen in report	
a. Identifying information of child	No
b. Location/contact information of child and family	No
c. Type/severity of suspected maltreatment	Yes
d. Date of suspected maltreatment	No
e. Identifying and other information of alleged perpetrator(s)	No
f. Other (specify)	Yes - Primary caregiver
g. Unknown	No

Table IV.B. Screening Decision Process and Activities

	Response	Required cases	Conditions or types of cases
1. Decision processes used during screening			
a. Supervisory review	Yes	Required for all	_
b. Team-based decision	No	Logical Skip	_
c. Individual screener	No	Logical Skip	_
d. Other (specify)	No	Logical Skip	_
e. Unknown	No	_	_
2. Variability of decision process used for screening			
a. Consistent statewide	Yes	_	_
b. Varies locally	No	_	_
c. Unknown	No	_	_
3. Certain activities or information are required as part of screening	Yes		
4. Activities/information required as part of screening			
a. Safety or risk assessment	Yes	Required for all	Not applicable
b. Review agency records for prior involvement with child protective services	Yes	Required for all	Not applicable

2019

## Table IV.B (continued)

			Conditions or
	Response	Required cases	types of cases
c. Other (specify)	Yes - Review agency records for other agency involvement (Aid to Dependent Children, Food Stamps, Child Support, Juvenile Services); Check law enforcement records; Collateral calls	Required for some	Collateral calls are only required when one of the following applies: (1) Under age 25 AND one of the following: (a) alleged to have mental health diagnosis, (b) alleged to be using methamphetamine or heroin, (c) former State Ward, (d) alleged to be involved in a relationship involving domestic violence, or (e) has a criminal history involving violent crimes, (2) has a current open CPS or APS case, (3) has had three unaccepted reports of abuse/neglect in the past 6 months, (4) has had a previous termination of parental rights or relinquishment due to HHS intervention with a parent not
			amenable to services
5. Types of safety/risk assessment used during screening			
a. Structured Decision Making	Yes		_
b. Other (specify)	No	_	_
6. Consistency of screening activities/information			
a. Consistent statewide	Yes	_	
b. Varies locally (specify)	No	_	_
c. Unknown	No	_	_

2019

### Table IV.C. Screeners

	Response
1. Screener of abuse and neglect reports	
a. Case workers (frontline staff)	No
b. Case managers (supervisors)	No
c. Staff in specialized screening unit	Yes
d. Other (specify)	No
2. Qualifications of screener	
a. Associate's degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for screening (specify)	Yes - Hotline staff must have training in interviewing, information gathering, crisis intervention, documentation, and providing information and referrals; Hotline staff receive the same training as all other case workers with additional training in working the Hotline
e. Years of experience (specify)	No
f. Other (specify)	No
g. Unknown	No
3. Tribal involvement in screening process of tribal cases	
a. Tribes are not involved	Yes
b. Tribes conduct screening (specify tribes)	No
c. Collaboration of tribes with state/local public child welfare agency (specify tribes)	No
d. Unknown	No

2019

# Domain I: Investigations of child abuse and neglect

## Table V.A. Investigations policies

	Response
1. Child maltreatment investigations lead to criminal penalties	Yes
2. Investigator for reports	
a. Case workers (frontline staff)	Yes
b. Case managers (supervisors)	Yes
c. Staff in specialized investigations unit	No
d. Law enforcement	Yes
e. Other (specify)	No
3. Qualifications of investigator	
a. Associate's degree	No
b. Bachelor's degree	Yes
c. Master's degree	No
d. Training for conducting investigations (specify)	Yes - Knowledgeable about statutes, rules and policy; Required to go through DHHS New Worker Training for Child Welfare
e. Years of experience (specify)	No
f. Other (specify)	No
g. Unknown	No
4. Level of evidence required for substantiation (founded/indicated/confirmed)	
a. Preponderance of evidence	Yes
b. Credible or substantial evidence	No
c. Probable or reasonable cause	No
d. Other (specify)	No

Table V.B. Required activities/information for investigation

	Conditions or types of		
	Response	Required cases	Conditions or types of cases
1. Certain activities/information required for the investigation process	Yes		
2. Specific activities or information required for investigation			
Review agency records for prior involvement with child protective services	Yes	Required for all	Not applicable
b. Visit to child's home	Yes	Required for all	Not applicable
c. Interview or observation of child victim	Yes	Required for all	Not applicable
d. Interview or observation of other children living in child's home	Yes	Required for all	Not applicable
e. Risk or safety assessment	Yes	Required for all	Not applicable
f. Evaluation of home environment or home study	Yes	Required for all	Not applicable
g. Interviews with child's parents, caregivers, or other adults residing in child's home	Yes	Required for all	Not applicable
h. Check of criminal records for adults in home	Yes	Required for some	If adults in the home are participating in the safety plan
i. Check of child welfare or central registry for prior child maltreatment allegations against adults in home	Yes	Required for some	If adults in the home are participating in the safety plan
j. Medical evaluation	No	Logical Skip	Not applicable
k. Mental health evaluation	No	Logical Skip	Not applicable
I. Interview alleged perpetrator	Yes	Required for some	Alleged perpetrator is a parent
m. Interview reporter or collateral source	Yes	Required for all	Not applicable
n. Other (specify)	Yes - Gather information from any other sources who may have information about the presenting problem or alleged maltreatment or the risk and safety of the child(ren); Observe the parents and interactions among family members	Required for all	Not applicable

2019

# **Domain W: Child welfare response**

Table VI.A. Differential or alternative response

	Response
1. Differential/alternative response	
a. No	No
b. Yes—implemented statewide	Yes
c. Yes—implemented in specific counties or regions (specify)	No
d. Unknown	No
2. Types of maltreatment eligible for differential/alternative response	
a. All types of maltreatment are eligible	No
b. Only certain types of maltreatment are eligible	Yes
c. Unknown	No
3. Types of maltreatment <u>not</u> eligible for differential/alternative response	
a. Cases involving child fatalities	Yes
b. Substance-exposed infants	Yes
c. Physical abuse	Yes
d. Sexual abuse	Yes
e. Neglect	Yes
f. Abandoned infants	No
g. Other (specify)	Yes - Domestic violence involving a caretaker and the alleged perpetrator has access to the child or caretaker; Sex trafficking or sexual exploitation; Physical abuse of a child under the age of 6 involving an injury to the head or torso, or with a disability, or which resulted in serious bodily injury to a child, or is likely to cause death or severe injury to a child
4. Eligibility for differential/alternative response determined by a risk determination	
a. No	No
b. Yes	Yes
c. Other (specify)	No
d. Unknown	No
5. Tools used to determine risk for differential/alternative response	Yes - Review, Evaluate, and Direct (RED) team review
6. Risk level eligible for differential/alternative response	
a. No risk	No
b. Low risk	No
c. Moderate risk	No
d. Other (specify)	Yes - Eligibility is determined based on whether there are any exclusionary criteria and Review, Evaluate, and Direct (RED) team criteria and decision
e. Unknown	No

2019

### Table VI.A (continued)

	Response
7. Other types of cases or conditions eligible for differential/alternative response	
a. No immediate safety concerns	Yes
b. No prior reports of child abuse or neglect	No
c. Other (specify)	Yes - No exclusionary criteria and no Review, Evaluate, and Direct (RED) team criteria
8. When is determination made for differential/alternative response	
a. At time of screening to screen-out to differential response	Yes
b. After a report is screened-in	No
c. Other (specify)	No
9. Referrals to community services for cases engaged in differential response	
a. No	No
b. Yes—for all cases	No
c. Yes—when families express interest	No
d. Yes—when there is a determination of risk	Yes
e. Yes—other (specify)	Yes - The family will be offered supports and services when available and appropriate

2019

Table VI.B. In-home services and foster care

Table VI.D. III-Home services and foster care	B
4. In home consisce provided for	Response
In-home services provided for unsubstantiated cases to maintain intact	
families	
a. No	No
b. Yes—implemented statewide	Yes
c. Yes—implemented in specific counties or regions	No
d. Unknown	No
2. In-home services provided post reunification	
a. No	No
b. Yes—implemented statewide	Yes
c. Yes—implemented in specific counties or regions	No
d. Unknown	No
3. Tribal involvement in foster care for tribal cases	
a. Tribes do not provide foster care	No
b. Tribes provide foster care (specify tribes)	Yes - The Omaha Tribe, Santee Sioux Nation, and Winnebago Tribes provide foster care to tribal members within the boundaries of their reservations; The Ponca Tribe does not provide foster care to tribal members, instead the tribe utilizes DHHS to provide foster care
c. Unknown	No
4. Foster care extension for those older than 18	Yes
years	
5. Age youth are allowed to remain in extended foster care	
a. Age 21	
	Yes
b. Other (specify)	Yes No
-	
b. Other (specify)	
b. Other (specify)  6. Foster care case management staff	No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff	No Yes
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff	Yes No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff	Yes No Yes
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown	Yes No Yes
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown  7. Qualifications of foster care case managers	No Yes No Yes No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown  7. Qualifications of foster care case managers  a. Associate's degree	No Yes No Yes No No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown  7. Qualifications of foster care case managers  a. Associate's degree  b. Bachelor's degree	No Yes No Yes No Yes No Yes No No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown  7. Qualifications of foster care case managers  a. Associate's degree  b. Bachelor's degree  c. Master's degree	No Yes No Yes No No No No No Yes No
b. Other (specify)  6. Foster care case management staff  a. State/county public agency staff  b. Contracted provider staff  c. Tribal agency staff  d. Unknown  7. Qualifications of foster care case managers  a. Associate's degree  b. Bachelor's degree  c. Master's degree  d. Training for case management (specify)	No Yes No Yes No No No Yes No Yes DHHS provided training for all child welfare staff

profile: Nebraska 2019

### Table VI.C. Permanency

	Response
1. Kinship guardianship as a permanency option	Yes
2. Subsidized guardianship	Yes
3. Subsidized kinship guardianship	Yes
4. Subsidized adoption	Yes

2019

# **Domain C: Child welfare system context**

Table VII.A. Child welfare system context

	Response
1. State or county-administered child welfare system	
a. State-administered	Yes
b. County-administered	No
c. Hybrid (partially administered by the state and partially administered by the counties)	No
d. Unknown	No
2. State operates under legal consent decree or other court-ordered monitoring	No

2019

### **Supplemental Notes on State**

#### **Definitions**

Parent or caregiver substance use requires a relationship between the substance use and some type of child maltreatment to justify intervention.

#### **Screening**

Name of child is not required to screen in report, as long as the child can be located.

During screening, a team-based decision process is not used, but teams are used to effectively and efficiently provide a means for consultation, technical, expertise, and support and problem-solving.

During screening, collateral calls are only required when one of the following applies:

- 1. Under age 25 AND one of the following:
  - a. Alleged to have mental health diagnosis
  - b. Alleged to be using methamphetamine or heroin
  - c. Former state ward alleged to be involved in a relationship involving domestic violence or
  - d. Has a criminal history involving violent crimes
- 2. Has a current open Child Protective Services or Adult Protective Services case
- 3. Has had three unaccepted reports of abuse/neglect in the past six months
- **4.** Has had a previous termination of parental rights or relinquishment due to HHS intervention with a parent not amenable to services

#### Child welfare response

Eligibility for alternative response: The Nebraska Department of Health and Human Services will determine eligibility based on the presence or absence of exclusionary criteria and Review, Evaluate, Decide (RED) team criteria.

- **1.** If an intake accepted for assessment includes one or more exclusionary criteria, it is ineligible for alternative response.
- 2. No exclusionary criteria and no RED team criteria: it is eligible for alternative response,
- **3.** One or more RED team criteria and no exclusionary criteria, and the RED team reaches a unanimous decision that it is eligible for alternative response, it is eligible for alternative response.

Exclusionary criteria include the following:

- 1. Physical abuse of a child
  - a. Under the age of six involving an injury to the head or torso
  - b. With a disability
  - c. Which resulted in serious bodily injury to a child

2019

- d. Which is likely to cause death or severe injury to a child
- 2. Domestic violence involving a caretaker AND the alleged perpetrator has access to the child or caretaker
- 3. Sexual assault of a child
- 4. Sex trafficking of a minor
- 5. Sexual exploitation of a child
- **6.** Neglect of a child resulting in serious bodily injury
- 7. Allegations require Child Advocacy Center, Law Enforcement, and Department coordination,
- 8. A household member allegedly caused the death of a child
- **9.** A newborn whose urine or meconium has tested positive for alcohol AND whose caretaker meets any of the following conditions:
  - a. Has an alcohol addiction
  - Previously delivered a drug-exposed infant and did not successfully complete drug treatment
  - c. Did not prepare for the newborn's birth
  - d. Currently uses controlled substances or alcohol and breastfeeds or expresses intent to breastfeed
  - e. Has no in-home support system or alternative primary care arrangements
- **10.** A household member uses or manufactures methamphetamine or other controlled substances.
- **11.** A pregnant woman tested positive for methamphetamine or other controlled substance.

RED team criteria include the following:

- **1.** A caretaker has a significant mental health diagnosis AND the reporting party is a physician, mental health or other health care provider.
- 2. A caretaker exhibits symptoms related to significant mental illness including but not limited to psychotic behaviors, delusional behaviors, and danger to self or others.
- **3.** A caretaker is a current or former state ward.
- **4.** The family has had another intake accepted for assessment within the past six months and includes two or more children younger than 5 or one child younger than 2.
- **5.** The family currently receives an alternative response.
- **6.** There is child abuse or neglect and alcohol or other mood-altering substance use by a household member, and there are two or more children younger than 5 or one child younger than 2.
- **7.** There is physical abuse that does not rise to the level of physical abuse identified in the exclusionary criteria.
- **8.** A household member or alternate caretaker has a history of using or manufacturing methamphetamine or other controlled substances.

### **State Statutes and Policy Documentation Sources**

- Children's Research Center. (2019). *The Structured Decision-Making System for child protective services: Policy and procedures manual: Intake screening*. Nebraska Department of Health and Human Services. Retrieved September 24, 2019, from http://dhhs.ne.gov/DCFS%20PS%20admin%20memos/PSP%209-2019%20Intake%20Screening%20Policy%20and%20Procedures%20Manual.pdf
- Crimes and Punishments, Neb. Rev. Stat. § 28 (2019). Retrieved September 24, 2019, from https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=28
- Criminal Procedure, Neb. Rev. Stat. § 29 (2019). Retrieved September 24, 2019, from https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=29
- Infants and Juveniles, Neb. Rev. Stat. § 43 (2019). Retrieved September 24, 2019, from https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=43
- Nebraska Department of Health and Human Services. (n.d.). *About Indian child welfare*. Retrieved September 9, 2019, from http://dhhs.ne.gov/Pages/About-Indian-Child-Welfare.aspx
- Nebraska Department of Health and Human Services. (n.d.). *Child abuse*. Retrieved August 26, 2019, from http://dhhs.ne.gov/Pages/Child-Abuse.aspx
- Nebraska Secretary of State. (n.d.). Rules and regulations: Titles for Health and Human Services system. Retrieved July 11, 2019, from https://www.nebraska.gov/rules-and-regs/regsearch/Rules/index.cgi?l=Health\_and\_Human\_Services\_System
- Nebraska Department of Health and Human Services. (2016). *Division of Children and Family Services: Protection and safety procedure* #3-2016.
- Nebraska Department of Health and Human Services. (2017). *Division of Children and Family Services: Protection and safety procedure* #20-2017.
- Nebraska Department of Health and Human Services. (2018). *Division of Children and Family Services: Protection and safety procedure #2-2018.*
- Public Health and Welfare, Neb. Rev. Stat § 71 (2019). Retrieved September 24, 2019, from https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=71