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**Differential Response in Child Protective Services:
State Legislative Highlights
Friday, April 27th, 2012
Chicago, Illinois**





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Highlights

- I. What is NCSL
- II. History and Overview of Differential Response
- III. State Legislative Experiences
- IV. Legislative Leadership Role
- V. Findings and Evaluations



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History of Differential Response

- Federal Legislation
 - CAPTA reauthorization
- Volume increase leads to practice shift
- Differential Response approach developed





QIC-DR: 8 Core Elements

- At least two pathways – investigative response, services response
- The approach is in statute or policy
- Pathway depends on specific factors
- The pathways can change depending risk to the child
- Services are voluntary
- Child maltreatment is not found or indicated for cases on the services pathway
- Families on the services pathway are not placed on the state's central registry of child maltreatment
- Includes engaging the family





State Legislative Experience

17

- 17 states with statutory provisions that meet the QIC's core elements
 - Colorado, Connecticut, Illinois, Kentucky, Louisiana, Maryland, Minnesota, Missouri, Nevada, New York, North Carolina, Ohio, Oklahoma, Tennessee, Vermont, Virginia, and Wyoming

30

- 30 states and the District of Columbia have some component of differential response in statute



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Statutory Provisions

1. Legislative intent;
2. The development of demonstration or pilot projects;
3. Evaluation or assessment of the approach or demonstration;
4. The nature and scope of the investigation and assessment as authorized in statute;



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Statutory Provisions

5. Provision of services to families;
6. Families that are assigned to the non-investigative pathway are not placed on the central child abuse registry;
7. Coordination with law enforcement;



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Statutory Provisions

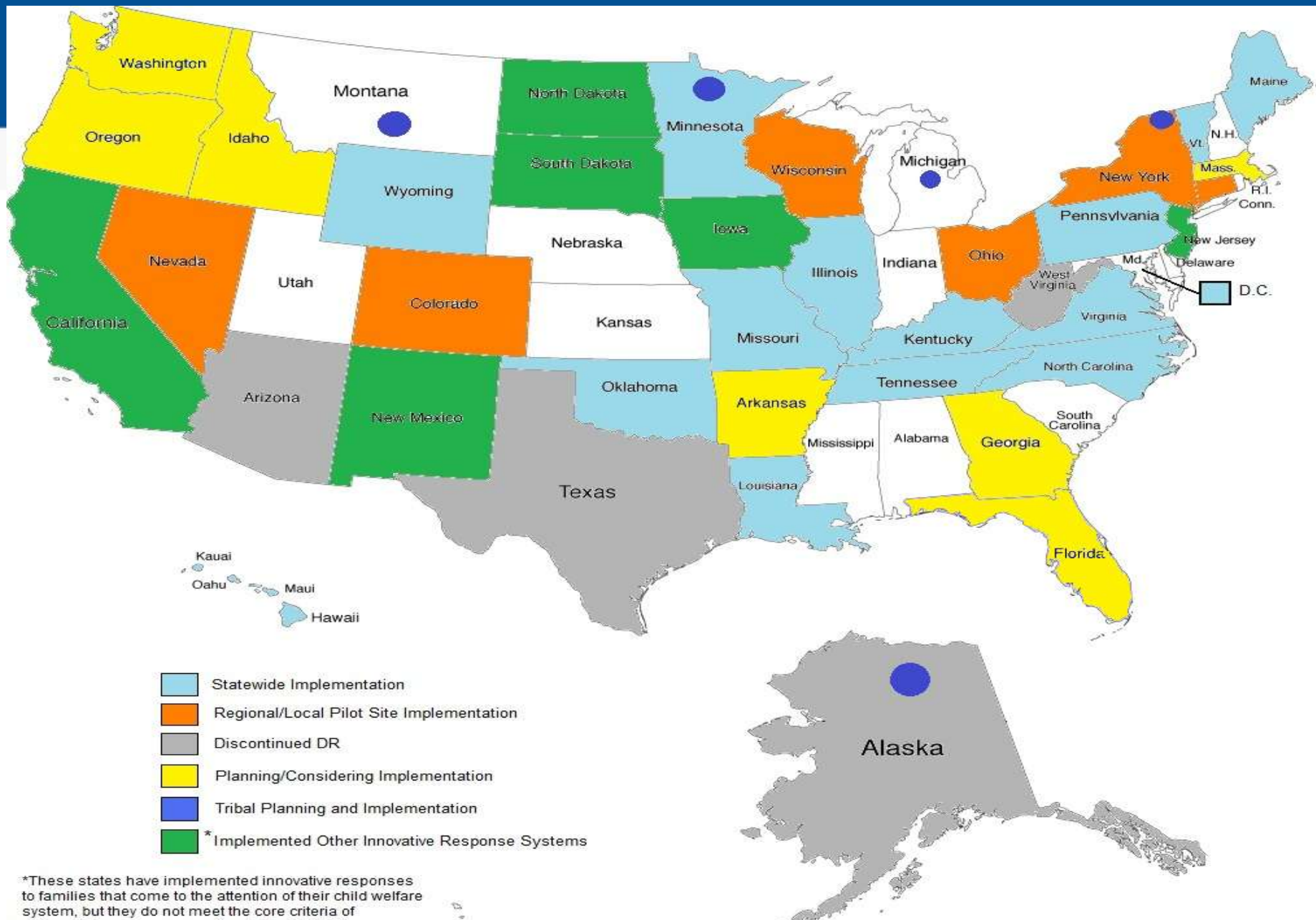
8. Ability to change pathway response, should risk of harm to children increase;
9. Training; and,
10. Caseworker immunity.



Illinois Legislation on DR

- The Illinois Differential Response Program Act (Public Act 096-0760)
 - Enacted in August 2009
 - Provided the authority for DCFS to implement a 5-year demonstration of DR.
 - This legislation includes the core elements of a DR approach as identified by the QIC.
 - The legislation also required that an independent evaluation be conducted in order to determine if the DR program was meeting its stated goals.

- In August 2010, Illinois Administrative Code was amended (Illinois Administrative Code § 300.45)
 - Allowed for the family assessment response
 - Required that in addition to eligibility criteria for DR, an initial assessment is required to confirm that the case is appropriate for family assessment services. Family assessment services are provided without a formal substantiation of alleged maltreatment and a record of the case is not entered in the State Central Register.



- Statewide Implementation
- Regional/Local Pilot Site Implementation
- Discontinued DR
- Planning/Considering Implementation
- Tribal Planning and Implementation
- * Implemented Other Innovative Response Systems

*These states have implemented innovative responses to families that come to the attention of their child welfare system, but they do not meet the core criteria of differential response according to the QIC-DR.

Source: National Quality Improvement Center on Differential Response in Child Protective Services, US DHHS Children's Bureau, November 2010



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Role of the Legislature

- Define child abuse and neglect
- Fund CPS
- Outline child welfare agency roles and functions
- Authorize DR pilots and implementation
- Require DR evaluations or studies



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Considerations for Policymakers

- Service array
- Safety issues
- Family participation in services
- Recurrence of families
- Definitions of abuse and neglect, and determinations of levels of risk
- Cost Savings
- Community Resources



Findings in Minnesota, Missouri and Ohio

Child Safety

- The safety of children uncompromised
- Minnesota reported more improvements under Family Assessment in child safety problems found during the first home visit.
- Missouri demonstrated children were made safer sooner.

Costs

- MN: According to Minnesota's cost evaluation, long-term CPS costs were found to be lower for the non-investigation pathway than for the investigation pathway, with an average follow-up for 3.6 years per family
- OH: Slightly higher costs for the non-investigation pathway in a variable follow-up period that had a 15-month maximum (Loman, Filonow & Siegel, 2010).

Family Engagement

- Cooperation of families improved
- Families were more satisfied
- Families felt more involved in decision making

Services

- Needed services delivered more quickly
- Families over twice as likely to have service cases opened
- Families were more likely to be poorer
- Families more likely to receive assistance to meet basic needs such as food, clothing, home repairs, help paying utilities, and help finding a job.



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Resources:

- State Legislation: Differential Response in Child Protective Services - <http://www.ncsl.org/default.aspx?tabid=17800>
- Differential Response Approach in Child Protective Services: An Analysis of State Legislative Provisions - <http://www.differentialresponseqic.org/assets/docs/differential-response.pdf>



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Questions?





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