

December 15, 2023

GENERAL LETTER NO. 18-B2-3

ISSUED BY: Bureau of Child Welfare and Community Services
Division of Adult, Children, and Family Services

SUBJECT: Employees' Manual, Title 18, Chapter B(2), *Child Welfare CINA Assessment*, Title Page, Contents I, 1-8, 9-18, revised; 19-24, removed.

Summary

This chapter is revised to implement the amendments to Iowa Code, which resulted in the 2022 Legislative Session, including:

- The extension of safe haven to 90 days
- New and modified definitions (including a requirement that Denial of Critical Care and Dangerous Substance occurred within five years of a report to the department to be considered abuse)
- New code citation for CINA definitions
- The removal of the written report requirement for mandatory reporters
- The extension of MDTs to be used throughout department service cases
- Language around removals, placement priority, and relative notice,
- Safety plans
- Adding massage therapists as mandatory reporters
- Updating duties performed by physician assistants
- Some minor conforming changes

And to update style and formatting throughout.

Effective Date

Upon Receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title 18, Chapter B(2), and destroy them:

<u>Page</u>	<u>Date</u>
Title Page	August 6, 2021
Contents I	December 24, 2021
1-8	August 6, 2021
9-24	December 24, 2021

Additional Information

Refer questions about this general letter to your area service administrator.

Child Welfare

CINA Assessment

	<u>Page</u>
Overview	1
Legal Basis	1
Definitions.....	1
CINA Assessment Outcomes.....	1
CINA Assessment Decisions	1
Criteria for CINA Assessment.....	1
Criteria for Services Following CINA Assessment	2
Preparing for the CINA Assessment	2
Source of Referrals for CINA Assessment Services	2
No Confidentiality of Source of Referral for CINA Assessment.....	2
Authority to Conduct CINA Assessments.....	2
Case Assignment and Jurisdiction of CINA Assessments.....	3
Review of the CINA Assessment Intake.....	3
Assessing Worker Safety	3
Conducting the CINA Assessment	4
CINA Assessment Is a Voluntary Service.....	4
Parent Rights	4
Response Time for CINA Assessments	5
Observing the Child and the Child’s Environment.....	6
Safety Assessments.....	6
Offering Services During a CINA Assessment.....	8
Safe Plan of Care for Infants.....	9
Elements of a Safe Plan of Care.....	9
Recommendation for Services In a Safe Plan of Care.....	10
Documentation of a Safe Plan of Care.....	10
Authority to Contact Collaterals.....	11
Gathering and Evaluating CINA Assessment Information	11
CINA Assessment Case Disposition	13
CINA Services Assessment Summary.....	13
Case Does Not Meet CINA Criteria	14
Case Meets CINA Criteria.....	14
Duties of the County Attorney.....	15
Notification, Dissemination, and Case Records.....	15
Parent’s Right to Court Notification.....	15
Notification to the Sac and Fox Tribe of the Mississippi in Iowa (Meskwaki Nation).....	15
CINA Assessment Services Records	16
Safe Haven	17

Overview

Any person having concerns regarding the health or welfare of a child may file a complaint with the Department. The Department is responsible for conducting a Child In Need of Assistance (CINA) Assessment to determine if further action should be taken. If the Department believes it's in the best interests of the child, a petition alleging the child to be a CINA must be requested.

This chapter describes the procedures for carrying out the assessment process for CINA services. During a CINA assessment, the worker assesses:

- Contributing factors that may affect the risk of harm to the child.
- Factors related to the child's vulnerability, and
- The family's protective capacities.

The worker makes the process transparent to the family, openly sharing information about the process and tools used. Assessment is an ongoing process and is solution-focused.

Legal Basis

For legal citations related to the content of this chapter, see 18-B(1) [Legal Basis](#).

Definitions

For definitions related to the content of this chapter, see 18-A(1) [Definition of Terms Used for Intake and Assessment](#).

CINA Assessment Outcomes

- Child safety
- Child and family well-being
- Accurate determination of CINA criteria
- Ensuring the appropriate type, level, and intensity of Department intervention and services

CINA Assessment Decisions

- Child safe or unsafe
- Determination if CINA criteria met
- Determination if referral to Child Protective Services (CPS) is required
- Determination if referral to informal or formal community resources is desired
- Recommendation for court involvement

Criteria for CINA Assessment

- Legal CINA criteria met
- Parent has signed application for CINA services
- Adjudication and court order

Criteria for Services Following CINA Assessment

- Legal CINA criteria met
- Parent has signed application for CINA services
- Adjudication and court order

Preparing for the CINA Assessment

A thorough understanding of the concerns is the first step in preparing for the CINA Assessment. Identify the source of the referral and their relationship to the child and family and review the information they provided.

Source of Referrals for CINA Assessment Services

Legal reference: Iowa Code Section 232.81

Policy Statement: The source of referrals for CINA assessments may be from a rejected CPS intake, the court, or from any concerned person.

When a caller contacts the Department regarding a child who may need services, the call will be handled as a CINA Assessment.

When a caller contacts the Department to report suspected child abuse, but the concerns do not meet the legal definition of a child abuse allegation, the report shall be rejected as described in 18-A(1), [Rejecting a Report of Suspected Child Abuse](#). Rejected child abuse intakes must be evaluated to determine whether the information reported constitutes a complaint that a child is a child in need of assistance.

The court may request the Department to conduct a preliminary investigation of a complaint to determine if further action should be taken. This request is handled as a CINA Assessment.

No Confidentiality of Source of Referral for CINA Assessment

The law does not provide for the confidentiality of a person making a referral to the Department for a CINA referral. Therefore, the Department cannot assure the reporter or complainant anonymity.

Authority to Conduct CINA Assessments

Legal reference: Iowa Code Sections 232.81 and 232.96A

Policy Statement: A CINA assessment intake is accepted if the concerns reported do not rise to the level of child abuse, but may meet the definition of a child in need of assistance as defined by law.

Case Assignment and Jurisdiction of CINA Assessments

Legal reference: Iowa Code sections 232.61 and 232.72

Policy Statement: The county of residence of the child determines the county responsible for the CINA assessment. Upon case assignment, the worker must assess any safety issues identified.

Review of the CINA Assessment Intake

Prepare for the CINA assessment by performing the following:

1. Review intake information and history:
 - Review the *Child Protective Services Intake*, form 470-0607.
 - Review information from systems checks and criminal record checks obtained on line or through local law enforcement or the Division of Criminal Investigation (DCI).
2. If record checks were not completed at intake, conduct all required record checks (see [RC-0146, System Checks for Child and Dependent Adult Abuse Intake](#) and [RC-0147, System Checks Guidance for Intake](#)).
 - If you receive information to suspect that the family has moved to Iowa from another state or another Iowa county, check the CABA Person tab on the STAR Intake module in JARVIS for protective service alerts.
 - Conduct criminal records checks online (www.iowacourts.state.ia.us) for all allegations that include an allegation of a criminal act, or child or worker safety concerns.
 - You may contact local law enforcement for criminal history. If time permits, you may submit a request to the Department of Public Safety, Division of Criminal Investigation.
3. Re-contact reporter if appropriate.

NOTE: For a CINA Assessment, you need to get a parental signature of authorization on the release of information form prior to re-contacting anyone other than the reporter or parent/guardian.

Assessing Worker Safety

The elements of risk to worker safety are inextricably joined with the assessment of child safety.

1. Determine the risk of the situation before making the initial contact with the family. Consider the following:
 - Is there a history of domestic violence?
 - Is the family's geographic location extremely isolated or dangerous?
 - Does the reporter indicate the possibility of a family member having mental illness, using drugs, or being volatile?
 - Is the initial contact with the family going to take place after normal working hours?
 - Are there firearms or other weapons in the home?
 - Is there any information to suggest the manufacturing of illegal drugs, such as methamphetamines?

2. Consult with your supervisor on the involvement of law enforcement when possible, when any element of risk to worker safety is identified.
 - Consult with the Iowa Division of Narcotics Enforcement or the local drug enforcement task force when there is any information suggesting that there is a “meth lab” or methamphetamine manufacturing.
 - Consider contacting law enforcement for assistance in making contact with the family if circumstances exist regarding any worker safety concerns.

Conducting the CINA Assessment

Assessing child safety, gathering information, and evaluating the needs of the child and family are critical components of conducting the CINA Assessment.

CINA Assessment Is a Voluntary Service

Legal reference: Iowa Code Section 217.30

Policy Statement: The child’s parent or guardian must apply for the services by signing the application in order for CINA assessment services to be initiated.

Upon initial contact with the child’s parent or guardian, explain your role to assess whether there are services available and needed for the child and provide the parent or guardian the opportunity to sign the *Application for All Social Services*, form [470-0615](#) or [470-0615\(S\)](#).

If the parent refuses to sign for the CINA Assessment to continue and the child’s safety is in question, take immediate steps to address safety for the child (see [Response Time for CINA Assessment](#)).

Parent Rights

Legal reference: Iowa Code Section 232.71B(5)

Policy: The CINA assessment worker cannot enter a parent’s home without parental permission. The worker must have parental consent or a court order to interview child for the purpose of a CINA assessment. If the parent refuses access to the child, the worker must seek a court order to see the child.

Offer the child’s parent or guardian the *Application for All Social Services*, noting a CINA assessment service is a voluntary service. (see [CINA Assessment Is a Voluntary Service](#)).

If a parent or guardian signs the application accepting CINA Assessment Services, issue a form [470-0602, Notice of Decision: Services](#) and proceed with CINA assessment duties.

If the parent declines the offer of CINA assessment services, the Department’s involvement ends unless:

- The child is imminently likely to be abused. Petition the court for a CINA adjudication. Seek an ex parte removal order if it appears that the child’s immediate removal is necessary to avoid imminent danger to the child’s life or health.

- The parent refuses to take steps to address immediate safety for the child. In that case, refer the situation to juvenile court for a removal or a CINA petition.
- The parent's failure to act constitutes an allegation of abuse. In that case, refer the situation to the intake unit to complete a form [470-0607, Child Protective Services Intake](#).

Get parental permission to interview or observe the child. NOTE: There is no legal authority to interview the child without parental permission. Confidential access does not apply in a CINA assessment.

NOTE: If parents refuse, see [Response Time for CINA Assessment](#).

Explain that the CINA assessment process will be completed within 20 business days.

Acquire necessary signature authorization on [470-0429, Consent to Obtain and Release Information](#), in order to contact collaterals for additional information on the child's condition or behavior that relates to the CINA criteria. NOTE: There is no legal authority to contact any person except the reporter or the parent unless the parent signs a release of information.

Response Time for CINA Assessments

Policy: The supervisor shall assign cases meeting CINA assessment services referral criteria within one business day. The assigned worker shall make a child and family contact within five business days. The summary shall be completed in 20 business days.

1. Have immediate contact with the child's parents or guardian to address safety when there is an immediate threat or high risk to the child or children. This includes, but is not limited to circumstances when:
 - The court has terminated parental rights to a child in the same family or the parent has relinquished rights to a child due to child abuse and the Department becomes aware that the parent has given birth to another child, or
 - The court has previously adjudicated a child in the same family to be a child in need of assistance due to abuse and the parent gives birth to another child.
2. When an immediate response is not warranted, initiate contact with the child and family within five business days to engage with the family and offer CINA assessment services.
3. Contact law enforcement if the child is in immediate danger or presents a danger to themselves or others.
4. Complete a [Safety Assessment, form 470-4132](#), whenever circumstances suggest the child may be in an unsafe situation. See [Safety Assessments](#) below. If the family refuses to allow access to the child and the child's safety is in question, request juvenile court to issue an order to allow access to the child. If the court refuses to issue an order, consult with supervisory staff on safety concerns. Supervisory staff may contact program staff or legal staff to determine a course of action.
5. Document acceptance or rejection of the offer of CINA assessment services.
6. If the parent refuses to take steps to address immediate safety, refer the situation to juvenile court for possible removal.

7. If parental failure to act constitutes an allegation of abuse, make a child protective services referral.

NOTE: If the child and family live on the Meskwaki Nation Settlement, you must contact Meskwaki Family Services to advise them of the assessment and request permission to enter the Settlement. If the child and family live off the Settlement but are or may be members of Meskwaki Nation or eligible for membership, you must contact Meskwaki Family Services to advise them of the assessment and ask about the child and family's membership or eligibility for membership.

Observing the Child and the Child's Environment

Follow these procedures when observing the child and the child's environment:

1. Have a witness present for child observation
2. In situations where injury has occurred, but not as the result of child abuse, describe and document all physical injuries:
 - Exact location
 - Color
 - Size
 - Shape
3. When observing a child over age four, do not:
 - Touch the child
 - Remove the child's clothing
 - Convince the child to remove clothing

NOTE: When observing a child under age four, you may view the child's unclothed body other than genitalia or pubes with parent present or with the parent's permission.

Safety Assessments

All safety assessments require supervisory consultation. When the safety decision is that the child is safe with a plan, a form [470-4461, Safety Plan](#), is required.

1. Complete an initial safety assessment face-to-face with the family participation regarding the immediate safety of the child or children within 24 hours when circumstances suggest the child may be in an unsafe situation during a CINA assessment.

The *Safety Assessment* provides a list of behaviors or conditions that describe a child being in imminent danger of serious harm. Use [RC-0104, Safety Assessment Guidance](#), to complete the Safety Assessment and determine if there are current danger indicators. Document this assessment on form [470-4132, Safety Assessment](#) by indicating the date the assessment was completed as well as the factors influencing child vulnerability, current danger indicators, any protective capacities and safety intervention taken, and the safety decision.

- When danger indicators are identified, immediate action must be taken to address the danger of harm by implementing a *Safety Plan* or removing the child.
- A child is considered "safe" when the evaluation of all available information lead to the conclusion that the child is not in imminent danger of serious harm

Describe the current conditions resulting in a child being more vulnerable to danger – see 18-B(1), [Factors Influencing Child Vulnerability](#).

Describe the current identified behaviors or conditions that describe a child being in imminent danger of serious harm – see 18-B(1), [Current Danger Indicators](#).

Describe the caretaker's protective capacities and safety interventions that have been taken and how each protected or protects the child from the identified danger indicators – see 18-B(1), [Protective Capacities and Safety Intervention](#).

2. Consult with your supervisor within 24 hours regarding your assessment of the child's safety and the safety plan. Document the date, time, and manner of consultation on the child protective assessment summary form.
3. Make a safety decision and document it on the *Safety Assessment*. Determine whether the child is:
 - **Safe:** No danger indicators identified; do not complete a safety plan at this time. Based on currently available information, no children are likely in imminent danger of serious harm, and no safety interventions are needed at this time.
 - Continuously assess for situational changes that affect child safety, consult with your supervisor as needed, and take whatever actions the situation requires if the child's situation deteriorates to safe with a plan or unsafe.
 - **Safe with a plan:** One or more danger indicators are present; safety plan required. Safety interventions have been initiated as identified and agreed upon by all necessary parties in the written safety plan. Removal will not be sought as long as the safety interventions mitigate the danger.
 - **Unsafe:** One or more danger indicators are present, and removal is the only protecting intervention possible for one or more children. Without removal, one or more children will likely be in danger of immediate or serious harm. The child will be placed in custody because safety interventions do not adequately ensure the child's safety.
4. If the child is **unsafe**, removal must be sanctioned by court order or voluntary agreement for foster care placement. You are required to take immediate steps to remove the child from imminent danger of serious harm. See 18-B(1), [Assessing Child Safety](#). If the child is or may be an Indian Child, see 18-C(5), [Emergency Removal of Indian Child](#).
5. If the child is **safe with a plan**, controlling safety interventions may include a parent arranging informal temporary care of the child. Develop *Safety Plan* with the family. Consider reasonable efforts to prevent removal of the child or active efforts to prevent removal of an Indian Child. See [18-B\(1\)](#), *Family Preservation Services and Assessing Child Safety*. See 18-C(5), [Active Efforts to Prevent Removal of an Indian Child](#).

The reasonable or active efforts options should include the consideration of:

- Obtaining support from the non-custodial father or mother and his or her relatives (kin).
- Obtaining support from other family resources, neighbors, the tribe, or individuals in the community.
- Obtaining support from community agencies or services.
- Having the alleged perpetrator leave the home.
- Having the non-abusing caregiver move to a safe environment with the child.

- Family's agreed-upon participation in Family Preservation Services.

When any of these reasonable or active efforts are used to protect the child, a safety plan must be completed reflecting the conditions and agreement by the parents as well as any individuals directly involved with implementing or monitoring the safety plan. The safety plan is a specific, formal, concrete strategy for initiating safety interventions which mitigate the specific danger identified in the safety assessment. The safety plan is employed immediately to identify actions needed right now to keep the child safe.

The safety plan must:

- Identify who will participate to assure safety of the child,
- Identify who will monitor the safety plan, and
- Identify the duration of the safety plan.
- Document the actions taken or services initiated to address each identified current danger indicator.
- Address how behaviors, conditions, and circumstances associated with the current danger indicators will be controlled.

A safety plan is designed to manage the foreseeable dangers in the least restrictive manner. The implementation of the safety interventions offsets the need to take more restrictive actions at this time. Failure to follow the safety interventions or a change in circumstances may result in the need to take more formal actions to ensure child safety in the future.

6. Repeat the safety assessment before completing the CINA assessment when:
 - The child was determined safe with a plan in the initial assessment, or
 - The child has been determined to be eligible for Department services, or
 - Circumstances suggest the child is in an unsafe situation.

Follow procedures outlined above. Update the *Safety Plan* as needed.

Refer the information to the county attorney if a CINA adjudication or removal order or other court action is necessary to protect the child.

Offering Services During a CINA Assessment

If you believe that services are necessary before the completion of the assessment, and if consistent with local procedure, consult with your supervisor to involve a social work case manager on a consultant basis to arrange for services.

If a child is at imminent risk of removal and placement into foster care, family preservation services may be referred during the course of a CINA assessment. See 18-B(1), [Family Preservation Services \(FPS\)](#). If Meskwaki Family Services is involved, ask them what services they can provide to the child and family.

Children for whom a CINA petition has been filed are eligible for limited services after the court has either set a date for the prehearing conference or set a date for an adjudication hearing.

If an affidavit seeking a CINA petition has been filed, options do exist for the child to be placed on a voluntary basis or for the court to issue an ex parte removal order. At this point in the assessment process, limited services can be provided.

If the child is or may be an Indian Child and you will be seeking a CINA petition, follow 18-C(5), [Identification of an Indian Child and Removing an Indian Child From Their Home](#).

NOTE: The following services are available to families who meet the criteria for a CINA petition referral:

- Relative home study services
- Drug testing
- Service area-specific services

At conclusion of the CINA assessment, Department family-centered services with Solution Based Casework (SBC) cannot be authorized until there is adjudication. (See 18-C(3), [Family-Centered Services](#)). Non-Agency voluntary services are not an option at completion of a CINA assessment.

Safe Plan of Care for Infants

In July of 2016, the Child Abuse Prevention and Treatment Act (CAPTA) was enhanced with the addition of the Comprehensive Addiction and Recovery Act (CARA), aimed to help states address the effects of substance abuse disorders on infants, children, and families. In order to ensure safety and well-being following release from the care of a health practitioner, federal and state requirements mandate Safe Plans of Care be developed for infants born and identified as being affected by substance abuse or withdrawal symptoms or Fetal Alcohol Spectrum Disorder.

NOTE: An infant includes any child under the age of one year.

Rely on the expertise of a health practitioner to determine whether an infant is affected.

Complete a form [470-5616, Safe Plan of Care](#), for infants affected by substance abuse or withdrawal symptoms or Fetal Alcohol Spectrum Disorder.

A *Safe Plan of Care* is required for infants affected by all substance abuse, whether the substance is legal or illegal.

Whether or not a child is removed, a *Safe Plan of Care* must be completed if a health practitioner identifies an infant as affected by substance abuse, withdrawal symptoms, or Fetal Alcohol Spectrum Disorder.

Establish a safety plan, in addition to the *Safe Plan of Care*, if the safety assessment determines that a child is conditionally safe and a safety plan can address all safety concerns identified.

Elements of a Safe Plan of Care

Ensure the safety and well-being of infants following the release from the care of a health practitioner by:

- Identifying the health and substance use disorder treatment needs of the infant and affected family or caregiver; and
- Developing the *Safe Plans of Care* for infants affected by **any** substance abuse (legal and illegal substances); and

- Identifying how these plans will be monitored to determine whether and how local entities are making referrals, and
- Delivering appropriate services to the infant and affected family or caregiver.

Recommendation for Services In a Safe Plan of Care

Develop the *Safe Plan of Care* to include referral to appropriate services. Identify who will make the service referral, date of service, who will be responsible for monitoring, the contact information of the person who will be monitoring, and the duration of monitoring needed.

In addition to identification of informal support systems, appropriate services may include:

- Substance abuse evaluation or treatment
- Medical care
- Visiting nurse services
- Home visitor parenting programs
- Early ACCESS
- Safe sleep education
- Mental health evaluation or treatment
- Victim advocacy (for domestic violence)
- State assistance program application
- Family Preservation Services (only available during an open CINA assessment; see 18-C(3), [Family Preservation Services \(FPS\)](#))

At the conclusion of a CINA assessment:

- If the family is complying with the *Safe Plan of Care*, document as such and close the assessment.
- If the family is not complying with the *Safe Plan of Care*, a consultation with the County Attorney is required.

Documentation of a Safe Plan of Care

During the course of any CINA assessment, consult with the health practitioner to confirm if the infant is affected by substance abuse or withdrawal symptoms or Fetal Alcohol Spectrum Disorder.

If the infant is not affected, the consultation with the health practitioner confirming the infant is not affected must be captured within the CINA assessment. Document in the Summary of Contacts section

If the infant is affected, document the consultation with the health practitioner within the CINA assessment (as described above) and complete a form [470-5616, Safe Plan of Care](#).

Ensure the health practitioner confirms that all relevant needs are adequately addressed.

Acquire signatures from the health practitioner and all participants, agreeing to fulfill their roles as identified in the *Safe Plan of Care*.

Distribute a copy of the *Safe Plan of Care* to all participants.

Upload the *Safe Plan of Care* into File Manger (located in the STAR Assessment module)

If the family is not willing to participate in the assessment to address a Safe Plan of Care for the infant, a consultation with the County Attorney is required.

Document the conclusion in the CINA assessment Summary section

On the Allegation tab of the STAR Assessment module in JARVIS (see [RC-0143, JARVIS Reference](#)), the “Infant Affected By Substances” box will populate.

When the question, “Is there a concern reported that an infant is affected by substance abuse or withdrawal symptoms or Fetal Alcohol Spectrum Disorder?” is answered “yes at intake, or if the answer is changed to “yes” due to new information received during the assessment, the box will expand to include fields for the child protection worker to document:

- The number of infants affected and
- Whether a Safe Plan of Care was created and
- The number of infants the Safe Plan of Care was created for.

On the Assessment Disposition tab of the STAR Assessment module in JARVIS, under the CINA Disposition Decision section (see [RC-0143, JARVIS Reference](#)), a field will populate to record the number of infants affected for whom service referrals were made, including referrals for the affected parent or caregiver.

Authority to Contact Collaterals

Legal reference: Iowa Code Section 217.30

Policy: The CINA assessment worker needs parental permission to contact collateral sources. The parent is to be offered a release of information form to provide a signature of authorization.

There is no legal authority to contact any person except the reporter or the parent unless the parent signs a release of information. Acquire necessary signature authorization on form [470-0429, Consent to Obtain and Release Information](#) in order to contact collaterals for additional information on the child’s condition or behavior that relates to the CINA criteria.

Gathering and Evaluating CINA Assessment Information

Policy: The CINA assessment worker shall evaluate the credibility of the facts and circumstances alleged and the information gathered. Interview parents or others who have information on the child’s behavior, functioning, mental health, relationships, and school performance.

NOTE: Make collateral contacts only if the child’s parent or guardian has signed a release of information.

Interview the child for the child’s perception of the concerns and for information on the child’s behavior, functioning, mental health, relationships, and school performance. (NOTE: Interview the child only if the child’s parent or guardian has signed a release of information.)

Contact mental health professionals providing service to the child or family or other people working with the child or the family who can provide additional information. Contacts may include but are not limited to:

- Neighbors
- Teachers and day care staff
- Physicians and other medical professionals
- Other service providers

The family may identify these contacts, or the child protection worker may identify them. NOTE: You must have a signed release of information before making any collateral contacts during a CINA assessment.

Determine the credibility of subjects, collateral sources, and other documentary evidence gathered during the interviews. Document analysis of this information in form [470-4135, CINA Services Assessment Summary](#).

Document the following information for each interview conducted:

- The time, place, and date the statement was taken
- Demographic information about the interviewee, including the interviewee's:
 - Name,
 - Address,
 - Age,
 - Employment,
 - Marital status, and
 - Relationship to the child, if applicable.
- The basis of interviewee's knowledge:
 - Child or children
 - Witness
 - Expert
 - Indirect
 - Third party
 - Hearsay
 - Evidence
- If handwritten statements are taken:
 - The statement should be written in ink.
 - The statement should always carry over from one page to the next.
 - Each page of the statement should have the time, place, page number, and the number of pages.
 - Each page of the statement should be signed.
 - Any corrections to the statement should be initialed and witnessed.
 - The statement should include a declaration that it has been read, that is complete, and that it is true.

- If the interview process is recorded (audio or video), the recording shall include:
 - Your statement informing the interviewee that the interview is being recorded
 - The interviewee's statement acknowledging that the interview is being recorded and consenting to the recording
 - The voice (for an audio recording) or image (for a video recording) should be clearly identified
 - Recorded statements that occupy more than one tape should have a carryover message
- Verify report data. The following report data is considered critical. Document your efforts to secure this data when it is not available:
 - Full name
 - Birth date
 - Race
 - Social security number
 - Current address
 - FACS number

CINA Assessment Case Disposition

To close out a CINA Assessment, the Summary is completed and a recommendation is made as to whether or not criteria is met for formal court intervention. If criteria is met, a CINA petition is requested.

CINA Services Assessment Summary

Policy: The CINA assessment worker shall complete form [470-4135, CINA Services Assessment Summary](#), within 20 business days of referral. Family function domains are required to be completed only if there is eligibility for a CINA petition referral to juvenile court.

Complete the *CINA Services Assessment Summary* within 20 business days of the date of the intake.

- Give a brief description of CINA intake issues.
- Document a summary of previous confirmed and founded child abuse assessments.
- Document the date and time of contacts in the "Summary of Contacts" section.
- In the "Summary of Observations, Findings and Determination of CINA Criteria" section, record your analysis of the information gathered during the assessment to determine if the child meets the criteria for filing a CINA petition. Utilize Departmental records in the assessment. Summarize:
 - The family's strengths and needs and
 - Your recommendations on filing a CINA petition and what services are needed.

In the event CINA adjudication occurs, select all applicable prevention services to meet the foster care prevention strategy. In addition, document the foster care prevention strategy identified for the family.

Complete an assessment of the family using form [470-4138, Family Functioning Domain Criteria](#) **only** if you are recommending the CINA action.

- Organize the analysis of the family's strengths and needs into the family functioning domains to be used by the social work case manager in form [470-3453, Family Case Plan](#) if child is adjudicated and served by the Department.

Record the CINA assessment services case disposition:

- Referral to juvenile court and to the social work case manager or supervisor:
 - If the CINA criteria are met for one or more grounds, refer for a CINA petition according to local protocols.
 - Refer the case to the social work case manager or supervisor and provide the transfer information.
- Child protective assessment: Refer the child for a child protective intake if during the course of the CINA assessment the circumstances constitute an abuse allegation on any child in the household.
- Information and referral: Whether or not CINA criteria are met, if service needs are identified and you recommend services to be provided to the family by community agencies:
 - Discuss with the family the identified need for service.
 - Provide information regarding agencies or providers who could provide the needed services.
 - Document the name of the community agency and the service to be provided to address the specific child or family needs. Explain who will make the referral and when the referral will be made.
 - Determine the provider's referral process, including required referral information, and make the referral if the family has signed a release authorizing release of the information to the agency.
- Information only: If CINA criteria are not met, provide information to the family regarding formal or informal services that may be of assistance to the family.
- Record the CINA assessment services case disposition in the STAR Assessment module in JARVIS.

Case Does Not Meet CINA Criteria

Policy Statement: If the CINA assessment results in a determination that the circumstances of the child and family do not meet the criteria for a referral to juvenile court for a CINA petition, Department involvement ends with the assigned worker providing information on community resources to the family.

See the case disposition section of the [CINA Services Assessment Summary](#).

Case Meets CINA Criteria

Legal reference: Iowa Code Section 232.81

Policy Statement: If the CINA assessment results in a determination that the circumstances of the child and family meet the criteria for a referral to juvenile court for a CINA petition, including prior history of termination of parental rights, refer to the county attorney for the filing of a petition according to local protocol.

See the case disposition section of the [CINA Services Assessment Summary](#).

Duties of the County Attorney

Legal reference: Iowa Code Sections 232.90 and 232.114

Policy Statement: Upon the filing of a CINA petition, the county attorney shall represent the state in all adversary proceedings arising under this division and shall present evidence in support of the petition.

The county attorney shall represent the Department in CINA proceedings. However, if there is disagreement between the Department and the county attorney regarding the appropriate action to be taken, the Department may request to be represented by the attorney general in place of the county attorney.

Notification, Dissemination, and Case Records

Proper notification, dissemination, and retention of case records are required at the close of a CINA Assessment.

Parent's Right to Court Notification

Legal reference: Iowa Code Section 232.88

Policy Statement: The parents must receive legal notification of any court action regarding their child.

No notification to the family is required at conclusion of the CINA assessments unless there is any court action regarding their child.

When a family has applied for Department services, issue a form [470-0602, Notice of Decision: Services](#), to record the Department's decision whether to approve or deny the services.

NOTE: If a family is denied services, appeal rights apply. An explanation is included on the form.

Notification to the Sac and Fox Tribe of the Mississippi in Iowa (Meskwaki Nation)

Due to the Department's intergovernmental agreement and protocol with the Sac and Fox Tribe of the Mississippi in Iowa (Meskwaki Nation), workers should take the following actions regarding a CINA assessment:

- If the child is known or thought to be a member of the Tribe or eligible for membership, advise Meskwaki Family Services of the assessment and request any known tribal membership information.
- If the worker learns about the membership or eligibility for membership in the Tribe after initiation of the assessment proceedings, the worker notifies Meskwaki Family Services immediately.

- If ICWA applies and Meskwaki Family Services provides notice to the Department of their intention to proceed to Tribal Court, document the child's tribal membership, eligibility for membership or enrollment information and the Tribe's decision in the CINA assessment. The Department will share the completed CINA assessment and any additional information needed with Meskwaki Nation's Assistant Attorney General for Tribal Court proceedings.
- If ICWA applies but the Tribe does not choose to proceed to Tribal Court and a determination by the Department is made to proceed with a CINA petition filing in State Court, the Department will advise the county attorney of the status with Tribal notification information or follow local protocol regarding sending Notice to the tribe.

For notification to and working with other tribes, follow procedures outlined in 18-C(5), [Indian Child Welfare Act \(ICWA\)](#) manual chapter.

CINA Assessment Services Records

Legal reference: Iowa Code Sections 217.30 and 232.81

Policy Statement: Disseminate form [470-4135, CINA Services Assessment Summary](#) and report to the county attorney if the outcome of the assessment is that a CINA criteria exists to refer the child for a CINA petition.

Retain the *CINA Services Assessment Summary* report in the case record for five years from the date of intake or five years from the date of closure of any service case. It is destroyed at that time.

Access to the file is authorized to a parent or legal representative, to the Department for official duties, and to persons or agencies the parent has authorized for access.

Disseminate the *CINA Services Assessment Summary* to the county attorney if the report meets a CINA criteria and a CINA petition should be filed.

- The summary report may be attached to a petition depending upon local protocol.
- If the child is not eligible to be referred for a CINA petition, the summary report is not further disseminated.

The *CINA Services Assessment Summary* is considered a service record, not a child abuse record. It is retained in the case record in JARVIS for five years from the date of intake or five years from the date of closure of any service case. It is destroyed at that time. Any local office copies of the record must be destroyed at this time as well.

A parent may request to view the family's service record and may request copies. Applicable reproduction fees apply. A parent may authorize release of the summary with a release of information.

Department staff have access to the record for official duties. The court has access to the record if a referral for court action is determined necessary. No other persons have access to the summary.

See 18-C(5), [Indian Child Welfare Act \(ICWA\)](#) manual chapter, Records Retention and Access, for practice related to ICWA covered children and families.

Safe Haven

Legal reference: Iowa Code Chapter 233

Policy statement: If an infant 90 days of age or younger is abandoned at an institutional health facility or by authorizing another person to relinquish physical custody on the parent's behalf, the Department shall respond as required under the Newborn Safe Haven Act. If the child has been abused, the Department worker shall make a report of suspected child abuse.

The Newborn Safe Haven Act provides procedures for a parent, or another person who has the parent's authorization, to leave an infant who is, or appears to be, 90 days of age or younger at a hospital or health care facility without fear of prosecution for abandonment. A parent may also contact a 911 service and relinquish physical custody to the 911 responder without expressing an intent to again assume physical custody and not fear prosecution for abandonment.

See the Safe Haven page on the Department's website: <https://hhs.iowa.gov/safe-haven>

The Newborn Safe Haven Act requires the Department to assume the care, control, and custody of an infant from the person on duty at a hospital or health care facility where physical custody of the infant was relinquished.

See Department of Human Services Responsibilities reference document:
<https://hhs.iowa.gov/media/116/download?inline>

The hospital or health care facility or first responder is required to call the Department's child abuse hotline when they have taken physical custody of an infant. Intake staff will immediately notify a child protection worker. The child protection worker must:

- Request an ex parte order from the juvenile court ordering the Department to take custody of the infant, in accordance with the requirements of Iowa Code Section 232.78,
- Secure a foster home for the infant,
- Notify the juvenile court and the county attorney of the action taken and the circumstances surrounding the action,
- Upon receiving the order, take physical custody of the infant,
- Seek a medical determination that the infant is healthy and able to be placed in a home setting (if the infant has not already been examined by a medical professional at the hospital or health care facility they were relinquished to),
- Within 24 hours of taking custody of the infant, the Department must notify the juvenile court and the county attorney in the county where the infant was relinquished in writing of the action taken by the Department and the circumstances surrounding the action.

The role of the county attorney for a safe haven infant includes:

- Filing a CINA petition and a petition for Termination of Parental Rights.
- A hearing on a CINA petition filed pursuant to Iowa Code chapter 233 shall be held at the earliest practicable time.

- A hearing on the Termination of Parental Rights petition shall be held no later than thirty days after the day the physical custody of the infant was relinquished unless the juvenile court continues the hearing beyond the thirty days for good cause.
 - Before holding a termination of parental rights hearing, notice shall be provided as described in Iowa Code Section 600A.6, subsection 5.
 - Reasonable efforts made in regard to the infant shall be limited to the efforts made to finalize a permanency plan in a timely manner.
- Providing notice of the petition to:
 - Any known parent.
 - Person authorized to relinquish custody of the infant.
 - The employee of the safe haven who took custody of the child.
 - Any putative father registered with the state registry.
 - Others in accordance with the provisions of the law.

If there is any reason to believe the infant may be a Native American, the appropriate officials should also be notified pursuant to the federal Indian Child Welfare Act, 25 U.S.C. § 1905-1963.