IOWA
Health and
Human Services

Notice of Child Abuse Assessment: Founded

Date

Incident Number

Child Protective Worker

Child Protective Supervisor

Telephone

HHS Office Address

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU ARE:

THIS IS TO NOTIFY YOU THAT:

☐ The Department has completed its assessment of this report.
☐ An addendum (addition) to the initial child protection assessment summary has been submitted.
☐ This is a founded case of sexual abuse in which the perpetrator of abuse is age 13 or younger. Pursuant to Iowa Code 232.71D(4)(a), the name of the perpetrator shall be withheld from the Registry. Report and disposition information will be placed on the Registry.
☐ This is a founded case of sexual abuse in which the perpetrator of abuse is between the ages of 14 to 17 years old. Pursuant to Iowa Code 232.71D(4)(b), the court has found good cause that the name of the perpetrator shall be removed from the Registry. Report and disposition information will remain on the Registry.

THE DEPARTMENT'S DECISION IS: This incident is FOUNDED (CONFIRMED and PLACED) on the Central Abuse Registry. This decision may be different than the determination of abuse concerning your child. See below.

TYPES OF ABUSE FINDINGS:

Founded (Confirmed and Placed) means that more than half of the available evidence shows that abuse occurred, and the abuse DOES meet the criteria for placement on the Central Abuse Registry. This assessment summary will be kept on the Registry for ten years (or ten years after the most recent confirmed abuse when the same victim or person responsible is placed on the Registry). This summary will be sealed for eight years and then destroyed. A summary involving founded sexual abuse is sealed for thirty years and then destroyed.

☐ The name of the person responsible will be removed from the Registry after ten years if that person has not had subsequent founded abuse within the ten-year period.

☐ The name of the person responsible will be removed from the Registry after five years if the abuse committed was physical, denial of critical care, or presence of illegal drugs in a child's body **and** the abuse did not result in the child's death or a serious injury **and** that person has not had subsequent founded abuse within the five-year period.

Confirmed means that more than half of the available evidence shows that abuse occurred, but the abuse DOES NOT meet the criteria for placement on the Central Abuse Registry. The child abuse assessment summary is retained five years from date of intake or five years from the date of closure of the service record, whichever occurs later.

Not Confirmed means that it was not possible to determine, by more than half of the available evidence, that abuse occurred. The child abuse assessment summary is retained five years from date of intake or five years from the date of closure of the service record, whichever occurs later.

THIS REPORT CONCERNS:

Name(s) of Child(ren) and Abuse Type(s)	Person(s) Responsible

Incident Number:

SUMMARY OF RECOMMENDATIONS:

☐ Treatment services were recommended or continued (HHS or other agency).
☐ Juvenile court action was recommended or continued.

ACCESS TO CHILD ABUSE INFORMATION: A subject of a child protection assessment summary has the right to receive information from that summary. “Subjects” include the child victim; person allegedly responsible for the abuse; parent, guardian, or custodian of a child named as abused in the report; and a lawyer representing any subject. If you are a subject and did not receive the written summary with this notice, you may request the summary by completing the section below and returning it to the county HHS office at the address on this notice. A limited number of professionals or agencies may also receive child abuse information under certain circumstances, but confidentiality of child abuse information is protected by law. A mandatory reporter may request a copy of founded child abuse assessments.
[Legal reference: Iowa Code section 235A.15(2)]

Name of requester:
Address:
Relationship to child(ren) named in the report:

REDISSEMINATION: A person who receives child abuse information may not give that information to another person (redisseminate it) unless permitted by law. If you give child abuse information to another person, you need to make a written record of this action and send it within 30 days to the Iowa Department of Health and Human Services, Appeals Bureau, 321 E 12th Street 4TH FLOOR, Des Moines IA 50319. [Legal reference: Iowa Code section 235A.17(1)]

CRIMINAL PENALTIES: Any person who attempts to obtain child abuse information under false pretenses, who gives false child abuse information, or who violates any laws on the release of child abuse information may be charged with a misdemeanor. [Legal reference: Iowa Code section 235A.21]

EFFECT OF A FOUNDED CHILD ABUSE REPORT: A founded child abuse record is not a criminal conviction. If you are determined to be responsible for the abuse of a child and the report is founded, your name is placed on the Central Abuse Registry for a minimum of 10 years unless you meet criteria to have your name removed after five years, as described on the first page. The Central Abuse Registry does not automatically notify your employer or academic program. However, you may be required by law to self-report that your name has been placed on the Central Abuse Registry and you are responsible for making that determination.

Placement of your name on the Central Abuse Registry may affect or limit your current or future employment or academic opportunities in fields such as child care, health care, and residential care. If your employment or academic program requires a background check of the Child Abuse Registry, you should note this in your request for correction to ensure a prompt hearing.

Requests For Correction of a Child Protection Assessment Summary: If you are the subject of a child abuse report and you believe that the conclusion or any part of the summary is in error, you may request correction of the information by contacting your local DHS office **within 90 days of the date on this notice**. If you are a person alleged responsible for the abuse, you may file a written appeal. This is separate from a request for correction. You do not need to request a correction before filing an appeal. To file an appeal, send a **written and signed** statement which tells why you disagree with the child abuse assessment to the

Iowa Department of Health and Human Services
Appeals Bureau
321 E 12th Street 4TH FLOOR
Des Moines IA 50319.

Appeals can also be submitted at appeals@hhs.iowa.gov or by fax at (515) 564-4044, you may also file an appeal electronically at https://hhs.iowa.gov/appeals **within 90 days of the date on this notice**. Please note, the timeframe to request correction and appeal are the exact same timeframes. If you request a correction, you may also file an appeal to protect your right to appeal this decision. If an appeal hearing is requested by a person alleged responsible for the abuse, then all other subjects will be notified by the HHS Appeals Section of the opportunity to file a motion to intervene in the appeal hearing, if one is granted. [Legal reference: Iowa Code section 235A.19]

ADDENDUM SUMMARY: If an addendum changes the findings of the original assessment, all subjects have 90 days from the date of **this notice** to request a correction or appeal. If it does not change the findings, the 90-day period to request a correction or appeal is based on the date of your **original** notice. Please follow the directions in the section above if you are the person alleged responsible for the abuse and choose to proceed with the appeal process.