

Office of Child Welfare Programs

Marilyn Jones, Director of Child Welfare Programs
 Tami Kane-Suleiman, Interim CPS Program Manager

Number: CW-PT-18-006
Issue date: 04/05/2018

Authorized Signature _____

Topic: Substance Affected Infants

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other: Forms

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children’s Residential Services | <input type="checkbox"/> Other (please specify): |
| <input checked="" type="checkbox"/> Child Welfare Programs | |

Rule, Procedure and Forms:	Rule: <ul style="list-style-type: none"> • Introduction to CPS Rules • Screening • CPS Assessment • Monthly Contact and Monitoring Child and Young Adult Safety Procedure: <ul style="list-style-type: none"> • Chapter 2 Screening and Assessment • Chapter 3 Managing Child Safety In and Out of Home Forms: <ul style="list-style-type: none"> • OHA 1394 Plan of Care and OHA 1394 Plan of Care Instructions 		
Rule numbers:	413-015-0100 to 0125 413-015-0200 to 0225 413-015-0400 to 0485 413-080-0040 to 0070	Release no:	
Effective date:	Immediately	Expiration:	

References:	
Web address:	

Who: These changes apply to screeners, CPS workers, permanency workers and their respective supervisors.

When: Effective immediately.

Why: These rules, procedures and forms are to implement and comply with the Comprehensive Addiction and Recovery Act (CARA).

What: This federal legislation focuses on the impacts of substance misuse on infants and their families.

Specifically, the law requires:

1. Health care providers to notify Child Welfare when an infant is affected by substances. This notification is required even when the health care provider does not suspect abuse and has no concerns about the parent or caregiver.
2. Plans (referred to as plans of care) to be developed to address the health and substance use disorder treatment needs of the infant and the infant's family.

Simply put:

- Health care providers will identify substance affected infants.
- Screeners will take reports of substance affected infants and ask if a plan of care was developed and if services referrals were made.
- Screeners will document this information.
- Screening supervisors will collect data about how many infants were reported, plans of care developed and services referrals made when reviewing closed at screening reports. This information must be maintained on the Substance Affected Infant Tracker and provided to the Child Safety Program consultant the first of each month (See attached tracker).
- When there is a substance affected infant on a CPS assessment, the CPS worker must ensure the plan of care is developed and service referrals are made.
- When there is a substance affected infant on an open case, the caseworker must ensure the plan of care is developed and service referrals are made.

Of course, it is not quite that simple, so to understand your role, please review the attached rule and procedure that relates to your work. Also, take a moment to review these definitions as they are critical to your understanding of these changes:

- "Health care provider" means a licensed independent practitioner involved in the care and delivery of infants, including:
 - A physician, as defined in ORS 677.010;
 - A nurse practitioner, including nurse-midwives, certified under ORS 678.375 and authorized to write prescriptions under ORS 678.390; or
 - A naturopathic physician licensed under ORS chapter 685.
- "Plan of care" means a written plan for a substance affected infant, and the infant's family, focused on meeting health needs and substance disorder treatment needs and developed in collaboration with the family, the healthcare provider, community agencies and child welfare when appropriate.

- "Substance" means any legal or illegal drug with potential for misuse, including any controlled substance as defined by ORS [475.005](#), prescription medications, over-the-counter medications, or alcoholic beverages. Substance does not include tobacco, medication assisted treatment or drugs used in a manner prescribed.
- "Substance affected infant" means an infant, regardless of whether abuse is suspected, for whom prenatal substance exposure is indicated at birth and subsequent assessment by a health care provider identifies signs of substance withdrawal, a Fetal Alcohol Spectrum Disorder diagnosis, or detectable physical, developmental, cognitive, or emotional delay or harm that is associated with prenatal substance exposure. Prenatal Substance Exposure is determined by a positive toxicology screen from the infant or the mother at delivery or credible information the mother had an active untreated substance use disorder, during the pregnancy or at the time of birth.

Training/Communication:

- District and Program Managers meeting.
- Transmittal and transmittal meeting.
- Email communication from Child Safety Program and Permanency Program to program specific supervisors.
- Child Safety and Permanency Consultants to provide local office trainings to their respective programs.
- Tools provided (see resource section).

Resources/Support:

- [015 Division, CPS Rules](#)
 - [015 Division, CPS Rules with track changes](#)
- [080 Division, Monthly Contact and Monitoring Child Safety Rules](#)
 - [080 Division, Monthly Contact and Monitoring Child Safety Rules with track changes](#)
- [CW Procedure Manual, Chapter 2, Substance Affected Infants - Screening](#)
- [CW Procedure Manual, Chapter 2, Substance Affected Infants - CPS Assessment](#)
- [CW Procedure Manual, Chapter 3, Substance Affected Infants - Permanency](#)
- [OHA 1394 Plan of Care](#)
 - [OHA Plan of Care Instructions](#)
- [Power Point, Substance Affected Infants](#)
- [Substance Affected Infant Tracker](#)

While the changes were drafted in collaboration with health care providers, substance use treatment providers, hospitalists, hospital social workers, Public Health, screeners, CPS workers, screening supervisors and others, there remains opportunities to provide feedback through policy council and outreach to Child Safety Program or Permanency Program.

If you have any questions or feedback, please contact:

Contact:	Deb Carnaghi, L.C.S.W., CPS Program Coordinator
Phone:	503.947.5418
Email:	deborah.carnaghi@dhsosha.state.or.us