



STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

MAURA D. CORRIGAN
DIRECTOR

IV-D MEMORANDUM 2012-013

TO: All Office of Child Support (OCS) Staff

FROM: Marilyn F. Stephen, Director
Office of Child Support

DATE: October 9, 2012

SUBJECT: New Centralized Intake Process for Reporting
Suspected Child Abuse and Neglect and Suspected Abuse,
Neglect, or Exploitation of an Adult

UPDATE(S):	
<input type="checkbox"/>	Manual
<input checked="" type="checkbox"/>	Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum explains the policy for OCS staff to report suspected child abuse and neglect and suspected abuse, neglect, or exploitation of an adult to the Centralized Intake for Abuse and Neglect. It includes an update to the contact information for reporting suspected or actual abuse and neglect. It also introduces the revised *Report of Actual or Suspected Child Abuse or Neglect* (DHS-3200) form.

This IV-D Memorandum replaces and obsoletes Action Transmittal (AT) 2004-036, *Reporting Suspected Child Abuse and Neglect to Children’s Protective Services (CPS)*.

Significant changes since the previous publication of this content are indicated by a change bar in the right margin.

DISCUSSION:

1. Background

The Child Protection Law, Michigan Compiled Law (MCL) 722.621 – 722.623, identifies mandatory reporters of suspected child abuse and neglect. The Social Welfare Act, MCL 400.11a and MCL 400.11b, identifies the mandatory reporters of suspected abuse, neglect, or exploitation of adults. Both the Child Protection Law and the Social Welfare Act require Department of Human Services (DHS) staff to

report suspected child abuse and neglect or the suspected abuse, neglect, and exploitation of adults.

2. Centralized Reporting of Child Abuse or Neglect and the Abuse, Neglect, and Exploitation of Adults¹

Michigan DHS established a centralized intake process that consolidates all of the individual Children's Protective Services (CPS) and Adult Protective Services (APS) intake functions to one location in Grand Rapids. All CPS and APS abuse and neglect complaints made in Michigan must be reported to the Centralized Intake unit. Staff at the Centralized Intake unit can be reached by calling a toll-free number 24 hours a day, seven days a week.

The centralized intake process will ensure consistency across the state in how abuse and neglect complaints are documented. For CPS, it will also provide consistency in evaluation and decisions related to assignment.

DHS staff and the general public were notified about the Centralized Intake unit and reporting process via a [press release](#) on March 5, 2012. IV-D staff were notified via a [hotline message](#) on March 9, 2012.

3. Individuals Required to Report Child Abuse or Neglect – Mandated Reporters

The Michigan Child Protection Law requires the reporting of child abuse and neglect by certain persons (called mandated reporters) and permits the reporting of child abuse and neglect by all persons.² The Child Protection Law includes the legal requirements for reporting, investigating, and responding to child abuse and neglect.

Mandated reporters are always required to report suspected child abuse and neglect to DHS. Specific DHS personnel are required to report to DHS when child abuse and neglect are suspected during the course of employment with DHS.

A report of child abuse or neglect must be made directly to DHS. There are civil and criminal penalties for a mandated reporter's failure to make a report. There is civil and criminal immunity for someone making a report in good faith.

Mandated reporters are an essential part of the child protection system since they have an enhanced capacity, through their expertise and direct contact with children, to identify suspected child abuse and neglect.

¹ DHS centralized the intake process for handling abuse and neglect calls starting March 5, 2012. Prior to that date, each county had a separate intake unit or person who handled these calls.

² For more information on mandated reporting, see the [Mandated Reporter's Resource Guide](#) on the [DHS Web site](#). Click "Forms and Publications" in the left menu. The link to the guide is found under the "Children's Protective Services" heading.

3.1 List of Mandated Reporters³

- Physician;
- Dentist;
- Physician's assistant;
- Registered dental hygienist;
- Medical examiner;
- Nurse;
- Person licensed to provide emergency medical care;
- Audiologist;
- Psychologist;
- Marriage and family therapist;
- Licensed professional counselor;
- Social worker;
- Licensed master's social worker;
- Licensed bachelor's social worker;
- Registered social service technician;
- Social service technician;
- A person employed in a professional capacity in any office of the Friend of the Court;
- School administrator;
- School counselor or teacher;
- Law enforcement officer;
- Member of the clergy;
- Regulated child care provider; or
- Any employee of an organization or entity that, as a result of federal funding statutes, regulations, or contracts would be prohibited from reporting in the absence of a state mandate or court order⁴ (e.g., domestic violence service providers).

The list also includes specific DHS personnel:⁵

- Eligibility specialist;
- Family independence manager;
- Family independence specialist;
- Social services specialist;
- Social work specialist;
- Social work specialist manager; and
- Welfare services specialist.⁶

³ MCL 722.623(3)(1)(a)

⁴ MCL 722.623(3)(1)(c)

⁵ MCL 722.623(3)(1)(b)

⁶ MCL 722.623

Although the Child Protection Law does not require OCS staff to report suspected child abuse or neglect, OCS believes it is vitally important for staff to be alert to the needs of the families they serve.

Note: OCS staff members with roles listed above are mandatory reporters.

3.2 Reporting Requirements

When OCS staff have reasonable cause to suspect child abuse or neglect,⁷ they must:

3.2.1 Report the suspected child abuse or neglect immediately by calling the Centralized Intake for Abuse and Neglect at (855) 444-3911 (toll-free number). The Centralized Intake unit will determine if the allegations warrant CPS involvement; and

3.2.2 Complete a *Report of Actual or Suspected Child Abuse or Neglect* (DHS-3200) form⁸ within 72 hours of the call to the DHS Centralized Intake unit. It must be submitted to the Centralized Intake unit by:

- Email at DHS-CPS-CIGroup@michigan.gov;⁹ or
- Fax at (616) 977-1154 or (616) 977-1158; or
- Mail to:

Centralized Intake for Abuse and Neglect
5321 28th Street Court S.E.
Grand Rapids, MI 49546

3.3 Identifying Suspected Abuse or Neglect of a Child

Some situations that require reporting are as follows:

- OCS staff witness a parent abusing his/her child;
- OCS staff hear a parent abusing his/her child during a telephone interview;
- OCS staff observe a child with suspicious injuries (e.g., bilateral black eyes);
- A parent reports to OCS staff that his/her child was abused during parenting time with the other parent;
- A third party reports to OCS staff that a child is malnourished, neglected, or abused;

⁷ For information on how to identify abuse or neglect, go to the [DHS Web site](#). Click "Abuse & Neglect" in the left menu.

⁸ A copy of the DHS-3200 is attached to this memorandum. The DHS-3200 may also be accessed from the DHSNet Web site; go to Tools > Forms > [DHS Forms Library](#).

⁹ The DHS-3200 contains confidential information; therefore, when sending it via email, it must be encrypted. For information on encryption, see [Section 1.10, "Confidentiality/Security" of the Michigan IV-D Child Support Manual](#).

- OCS staff identify that either parent was under the age of 16 at the birth or conception of his/her child;¹⁰ or
- OCS staff identify that the mother was under the age of 18 at the birth or conception of her child, and OCS staff have reason to believe that her parent or a person responsible for her welfare¹¹ is the father of her child.

4. Individuals Required to Report Abuse, Neglect or Exploitation of an Adult – Mandated Reporters

MCL 400.11a requires individuals to report abuse, neglect or exploitation of an adult when they are:

- Employed or licensed, registered or certified to provide health care, educational, social welfare, mental health, or other human services;
- An employee of an agency licensed to provide health care, educational, social welfare, mental health, or other human services;
- A law enforcement officer; or
- An employee of the office of the county medical examiner who suspects or has reasonable cause to believe that an adult has been abused, neglected or exploited.

MCL 400.11a also permits all persons to report abuse, neglect or exploitation of an adult.

All DHS employees, including all OCS staff, are mandated reporters of adult abuse, neglect and exploitation.

A person required by the Social Welfare Act¹² to make a report of suspected abuse, neglect or exploitation of an adult but who fails to do so is liable civilly for the damages proximately caused by the failure to report, and must pay a civil fine of not more than \$500 for each failure to report. DHS employees failing to report may face disciplinary action. In addition, the act states that there is civil immunity for a party making a report in good faith.

¹⁰ CPS must investigate if the mother is under the age of 12. For either parent who is 12 years of age or older, CPS will investigate the parent's failure to protect the child, rather than the pregnancy or sexual relationship. Since 1998, the local DHS office and Prosecuting Attorney have been required to have a child abuse protocol in place for the county (Public Act 166 of 1997). This protocol mandates referrals to the Prosecuting Attorney/law enforcement under defined circumstances, such as sexual abuse or death of a child. Therefore, if an OCS staff member makes a referral to CPS regarding sexual abuse or criminal sexual conduct, the CPS worker is mandated to report this to law enforcement, and they must conduct a joint investigation. This was part of the "Binsfeld" legislation. This protocol is based upon a model developed by the Children's Justice Task Force.

¹¹ This includes a legal guardian, a person 18 years of age or older who resides for any length of time in the same home in which the child resides (e.g., a stepparent, a parent's boyfriend or girlfriend, or a "living together partner"), or an owner, operator, volunteer, or employee of a child care organization or an adult foster home.

¹² MCL 400.11e

4.1 Reporting Requirements

4.1.1 Mandated reporters for the suspected abuse, neglect or exploitation of an adult must report any suspected abuse, neglect or exploitation of an adult immediately to DHS by calling the Centralized Intake unit at (855) 444-3911 (toll-free number). The Centralized Intake unit will determine if the allegations warrant action.

4.1.2 The reporter must complete a DHS-3200 form within 72 hours of the call to the DHS Centralized Intake unit. It must be submitted to the Centralized Intake unit by:

- Email at DHS-CPS-CIGroup@michigan.gov;¹³ or
- Fax at (616) 977-1154 or (616) 977-1158; or
- Mail to:

Centralized Intake for Abuse and Neglect
5321 28th Street Court S.E.
Grand Rapids, MI 49546

4.2 Identifying Suspected Abuse, Neglect or Exploitation of an Adult¹⁴

A person not less than 18 years of age is considered an adult. Adults are considered vulnerable when they are unable to protect themselves from abuse, neglect or exploitation because of a mental or physical impairment or because of advanced age. Abuse, neglect, and exploitation are defined below:¹⁵

4.2.1 Abuse

Abuse is harm or threatened harm to an adult's health or welfare caused by another person. Abuse includes but is not limited to non-accidental physical or mental injury, sexual abuse, or maltreatment.

4.2.2 Neglect

Neglect is harm to an adult's health or welfare caused by:

- The inability of the adult to respond to a harmful situation; or

¹³ The DHS-3200 contains confidential information; therefore, when sending it via email, it must be encrypted. For information on encryption, see Section 1.10 of the *Michigan IV-D Child Support Manual*.

¹⁴ Ref: [DHS Administrative Handbook: Personnel & Professional Development \(AHP\) 602-3, Conduct and Responsibilities – Mandated Reporters of Adult Abuse/Neglect/Exploitation](#).

¹⁵ Ref: [DHS Adult Services Glossary](#).

- The conduct of a person who assumes responsibility for a significant aspect of the adult's health or welfare.

4.2.3 Exploitation

Exploitation is an action that involves the misuse of an adult's funds, property, or personal dignity by another person.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. This memorandum replaces and obsoletes AT 2004-036.

REVIEW PARTICIPANTS:

Program Leadership Group

CONTACT PERSON:

Ellen Durnan
OCS Policy Analyst
durnane@michigan.gov
(517) 241-8051

CC:

Friend of the Court staff
Prosecuting Attorney staff

SUPPORTING REFERENCES:

Federal
None

State
MCL 722.621 – 722.623
MCL 400.11a
MCL 400.11b
MCL 400.11e

Public Act 166 of 1997

ATTACHMENT:

DHS-3200: *Report of Actual or Suspected Child Abuse or Neglect*

MFS/ED/SM