

Child Protective Services: Juvenile Court-Placement Issues

2102.9 Deprivation Resulting From Substance Abuse

Discussion

If the court determines that the underlying reason for the deprivation of the child is a result of the parent's alcohol or other substance abuse, DFCS shall recommend to the court the parent be required to undergo a substance abuse assessment to determine appropriate level of care and random drug tests. DFCS will not recommend reunification until we have documentation confirming that the screens remain negative for a period of no less than six consecutive months per O.C.G.A. Section 15-11-55 (e) and that client is compliant with treatment recommendations.

Requirement

When a court finds that deprivation resulted from a parent's alcohol or other substance abuse, **immediately:**

- Inform the parent of the seriousness and implication of the court requirements (parental rights may be terminated);

- Provide the parent with a list of available treatment resources;

- Assist the parent, as needed, with referrals to resources;

- Inform the parent of the limited time available to obtain required treatment; and,

- Inform the parent that reunification is contingent upon an initial drug free period of six consecutive months.

Keep the court informed of any situation where a parent is non-complaint with required drug treatment or drug tests.

Procedures/Practice Issues

Termination of parental rights may be a consequence of a parent's not meeting the court's requirement (O.C.G.A 15-11-41), Juvenile Court Code). Law requires that the parent complete treatment and remain substance free for six consecutive months, and this must occur within the twelve-month duration of the deprivation order issued by the court (See 2102.19). The case manager who has responsibility (this is the case manager when the case does not require transfer to a placement case manager) must help the parent stay focused on getting treatment and on meeting the court's requirements.

Use PUP funds to pay for drug tests when no other payment resources are identified i.e., client's private insurance, Medicaid client pays for screening etc., (See 2107.16 through 2107.24).

Counties using PUP for drug tests should use the local community behavioral health provider or Promoting Safe and Stable Families Providers if services are available in their community. If private providers/vendors are used counties must use providers/vendors where contracts with existing confidentiality and HIPPA agreements have been signed.

Child Protective Services: Juvenile Court-Placement Issues

Any county without a resource list should develop one. In counties where a resource list has not been developed it may be helpful to call a meeting of community representatives to put together a list of the resources available to people in the area.