

Child Protective Services: Investigations

2104.3 Drug Exposed/Addicted Infants

Requirement

Open and assign an immediate to 24-hour response time on a report, received from medical personnel, that indicates that either a newborn infant **and/or** the infants' mother tests positive for illegal drugs or prescription drugs not the mother's prescription. Make a referral for a formal substance abuse assessment.

Determine the following:

- Are all children who reside in the home assessed as safe or conditionally safe as determined by Safety Assessment (Form 455A)?
- Is the living environment stable i.e., rent, lights, water, and gas current?
- Does the mother acknowledge the risk her drug use poses to her children?
- Is the mother willing to cooperate with a formal substance abuse assessment and treatment, if indicated?

When the answer to any one of these questions is “**no**,” file a deprivation complaint requesting custody of the infant and at-risk siblings **and** for treatment for the mother. Determine whether suitable relative resources exist for placement of the infant outside the home (See 2104.33).

When the answer to all of the above questions is “**yes**,” file a deprivation complaint for court-ordered treatment for the mother, unless the formal substance abuse assessment has determined that treatment is not required.

Discuss with the supervisor information obtained in the investigation and jointly decide which option the department will take: whether to file for custody of the infant and siblings at risk and for court-ordered treatment for the mother, **or** to file only for court-ordered treatment for the mother, if this need is indicated by the formal substance abuse assessment.

Advise the medical facility of the department's decision.

Procedures/Practice Issues

Proceed with the investigation by taking the following steps:

- **Step 1:** Notify the reporter (medical personnel/facility) when the investigation is initiated **and** request the medical facility to provide in writing the level and type of all intoxicants, identified during delivery, in the mother's/infant's blood. If the hospital does not provide a written report, a verbal report is acceptable; however, document in the case record on Contact Sheet (Form 452) the date of the report, who provided the report and the content of the verbal report. Make the referral for a formal substance abuse assessment.
- **Step 2:** Go to the medical facility and notify appropriate hospital staff of the need to interview the mother face-to-face and to observe the infant.

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Step 3: Have the mother sign a Release of Information for permission to discuss and receive a copy of medical records. NOTE: The results cannot be shared with anyone without the expressed written consent of the mother, unless there is a court order to do so.

- **Step 4:** Obtain information on the current condition of both mother and infant from medical facility personnel.
- **Step 5:** Go to the home to interview the mother, if she has been released, and observe the infant (see the infant at the medical facility, if the infant is not yet released).
- **Step 6:** Determine the living arrangements for the mother and whether the infant will be in a safe and secure environment once released from the hospital.
- **Step 7:** Determine the level of extended family support for the mother and, as part of the effort to determine the immediate safety of the infant, obtain information from all available family members.
- **Step 8:** Discuss with the mother the results of the positive drug test. Determine her acceptance /acknowledgment of the situation and her willingness to accept help through drug treatment.
- **Step 9:** Discuss with the reporter (medical personnel) the information obtained during the investigation to determine what level of intervention the department will take. This may be done through a formal staffing in a multi-disciplinary approach with medical consultation or in a less formal manner through telephone contact with the reporter (medical personnel).

Case managers cannot discuss the results of drug tests or drug assessments without a signed Release of Information or by court order.

The SAAG represents the department at a hearing and requests, on behalf of the department, that any order issued by the judge include drug treatment for the mother, periodic drug tests and supervision by DFCS (when the infant remains in the mothers physical custody).