

Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

May 16, 2017

Dear Health Care Provider:

As a Mandatory Reporter, this letter is to inform you of a change in Iowa law relative to infants, which refers to a child less than 1 year of age, born with and identified as being affected by substance abuse.

As of July 1, 2017, health care providers involved in the delivery or care of an infant affected by **any** substance abuse or withdrawal symptoms resulting from prenatal drug exposure or Fetal Alcohol Spectrum Disorder will be required to notify the department via the Child Abuse Hotline number **1-800-362-2178**. Prior to this, only infants born positive for an **illegal substance** in the child's body were required to be reported.


This change in Iowa law is the result of new federal legislation. Public Law 114-198, the Comprehensive Addiction and Recovery Act of 2016 (CARA), was passed on July 22, 2016. The intent of this legislation is to address the problem of opioid addiction and to assist states in handling infants born with a substance abuse disorder.

The Iowa Department of Human Services has implemented policies and procedures to address the needs of these infants and their families. When a Child In Need of Assistance assessment is initiated, the DHS worker will consult with the health care provider to confirm that the infant is affected by substance abuse, withdrawal symptoms or Fetal Alcohol Spectrum Disorder. Once confirmed, a Safe Plan of Care will be developed. The health care provider will be asked to review the plan and agree that the concerns and needs of the child and family have been identified and are addressed.

If DHS is notified by a health practitioner that an infant is substance-affected and additional information is provided that constitutes a child abuse allegation, the department shall commence a Child Abuse Assessment rather than a Child in Need of Assistance assessment. A Safe Plan of Care will still be developed as previously indicated.

Additional information related to the CARA legislation can be found at the following website:
www.acf.hhs.gov.

Sincerely,



Janee Harvey, LISW
Child Welfare Bureau Chief