

HB 371, Child in Need of Protective Services Membership Feedback

PCSAO continues to gather feedback and questions on HB 371, a bill crafted by a multi-disciplinary stakeholders subcommittee (including input from PCSAs thru focus groups and representation on the subcommittee). We appreciate member input through robust discussions at December's membership meeting; recent District, RTC, and Cmte meetings; and direct email correspondence. Plus, we look forward to continued, upcoming dialogue. Here's a list of those meetings, followed by a summary of big picture questions related to CHIPS.

Recent

- Nov, 2009 – CORTC
- Dec, 2009 – Exec Members Mtg
- Jan 20th – SW District
- Jan 22nd – Canton District
- Jan 22nd – PCSAO Rules Committee
- Jan 25th – PCSAO Legislative Committee
- Jan 25th – Athens/SE RTC

Upcoming

- Feb 3rd – Trustees
- Feb 9th – NW District
- Feb 17th – Athens/SE RTC
- Feb 22nd – NE District
- Feb 22nd – Legislative Committee
- Feb 23rd – Multi-disciplinary Stakeholder Meeting

We are grateful for the Legislative Committee and their investment of time and talent to ask detailed questions and provide input (on all issues brought before the cmte; and related to CHIPS, e.g. successfully removed language before CHIPS bill was introed that would have allowed evidence in civil cases to be used in criminal cases – that language was removed!). It's an extremely busy and labor intensive cmte.

A couple interesting notes, and walk down memory lane: CHIPS has been discussed over the years at four Exec Membership mtgs (focus group w/Kent Marcus at Deer Creek; Riffe Center led by Max Bucey; and two at the Quest Ctr, led by NCALP w/ opportunity for direct feedback/input). Plus, CHIPS was on the legislative cmte agenda at least once/year, dating back to 2006; with the heaviest activity in 2009 (8 out of 9 mtgs).

After a robust discussion at Trustees on February 3rd, to be responsive to your questions and concerns, next steps include:

1. Ongoing member dialogue/education through District, RTC and committee meetings
2. Provide synopsis of other states w/ CHIPS, by end of Feb, to Trustees and Membership (fiscal/cost of care impact?; how's NCANDS and Central Registry handled, others?)
3. Represent big picture questions at Stakeholders mtg (amendments needed?)

Big Picture Questions

County questions were confirmed as the primary questions being considered by state staff and other professional disciplines as they analyze and come to fully understand CHIPS.

SACWIS – Significant discussions; language already included in bill; ODJFS is committed to doing it, and more specific language will be included. Rep. Pillich has been part of the discussion, and she is dedicated to ensuring language is in the bill.



Continued safe reduction of children in out-of-home care – going from 3 categories (A/N/D) to 7 categories – think thru the clarity with the seven categories vs. the broad sweep of Dependency; impact on protective supervision status?

Central Registry – how are reports made? perpetrator based? persons working with children? how to match/search of past perpetrators w/new cases, if no criminal conviction? how do other states handle this?

Questions about CR were raised early in the drafting process – it's a huge issue considering critical decisions made by CW community and others. How do federal requirements fit? (i.e., fed prohibition against releasing "unsubstantiated or false" findings for background checks; others?)

Impact on Federal NCANDS Reports – how are other states managing this?

Other States w/CHIPS – Minnesota, Kansas, Indiana, Wisconsin use CHIPS that apply in child protection context.

Non-parental Acts – adequately addressed by CHIPS?; acts by neighbor, uncle who molests, stranger?

Logistics of Implementing CHIPS law –

- training (internal, community partners, other professional disciplines)
- OAC updates (PCSAO Rules Committee already discussing implications)
- timing of implementation vs. local financial, budgetary constraints
- screening guideline relationships w/Courts, prosecutors, law enforcement, schools, others?
- prosecutors rely on substantiation of A/N; impact on prosec cases?

Case Law – constitutional challenge to 12 of 22 standard as arbitrary time frame, what about unfitness? In re C.A., Srme Crt of Ohio held that finding of A/N/D is finding of unfitness; others??