



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

December 27, 2016

Michael Marshall
Secretary of Senate
State Capitol Building
LOCAL

Carmine Boal
Chief Clerk of the House
State Capitol Building
LOCAL

Dear Ms. Boal and Mr. Marshall:

Enclosed please find copies of reports to the General Assembly relative to the Child Abuse Registry Report.

This report was prepared pursuant to the directive contained in Iowa Code Section 235A.23.

Please feel free to contact me if you need additional information.

Sincerely,

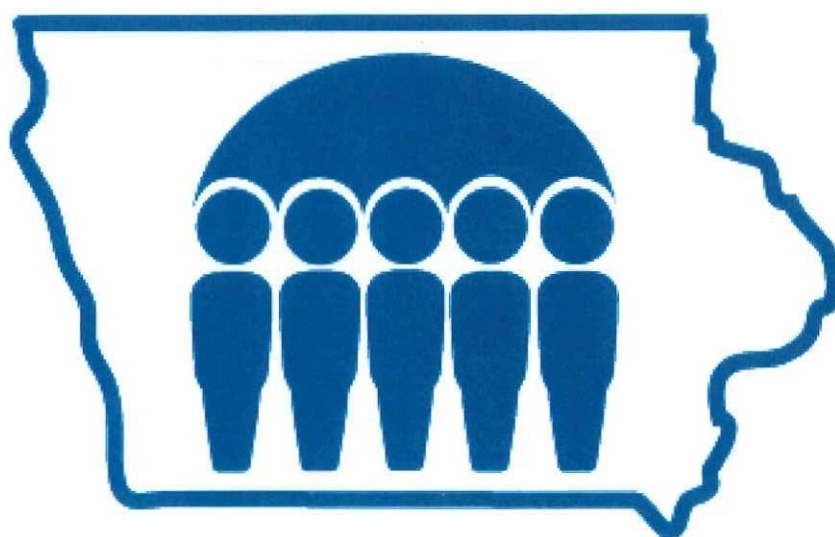
Sally Titus
Deputy Director,
Department of Human Services

ST/tm

Enclosure

cc: Terry E. Branstad, Governor

Iowa Department of Human Services



Child Abuse Registry Annual Report

December 2016

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Executive Summary:

Iowa Code 235A.14 requires the Department of Human Services (DHS) to organize and staff a central registry for child abuse information.

Iowa Code 235A.23 requires the DHS to issue an annual report on the central registry regarding its administrative operation and data relevant to child abuse information.

Introduction:

In accordance with Iowa Code 235A.23, the DHS shall issue an annual report on its administrative operation, including information as to the number of requests for child abuse data, the proportion of requests attributable to each type of authorized access, the frequency and nature of irregularities, and other pertinent matters.

Overview:

The Central Abuse Registry is an electronic database used to store report data and disposition data, in accordance with Iowa Code section 232.71D, relating to a particular case of alleged child abuse which has been determined to be founded (confirmed and placed on the registry). This database is part of the Statewide Tracking of Assessment Reports (STAR) system, which was converted into a web-based system referred to as Joining Applications and Reports from Various Information Systems (JARVIS) on January 1, 2014. The DHS maintains the Registry at central administrative offices in Des Moines, Iowa.

The DHS collects, maintains, and disseminates child abuse information from the Registry as provided in Iowa Code chapter 235A. The Registry contains report data and disposition data, which includes the names of child abuse victims and the names of persons responsible for the child abuse and links these names to the type of abuse identified in the Child Protective Assessment report.

The existence of the Registry is imperative for the protection of victims and potential victims of child abuse by serving as a single, statewide source of child abuse data. This data is also used to facilitate research on child abuse and as an employment-screening tool for authorized employers and licensing boards. Iowa Code sections 135C.33 and 235A.15 define who has authorized access to the child abuse data listed on the Registry.

As a central, front door component of the Registry, the DHS maintains a toll-free telephone line, which is available twenty-four hours a day, seven days a week, including holidays. The DHS staff and all other persons may use this line to report cases of suspected child abuse.

Upon receipt of a report of suspected child abuse, the records of the Registry are searched to determine if the records reveal any previous report of child abuse involving the same child, or any other child in the same family, or the person alleged responsible, or other pertinent information with respect to those individuals. This information is provided to the appropriate DHS personnel and law enforcement if applicable.

Law Changes Impacting Child Abuse:

1989 through 1995

The Automated Child Abuse and Neglect (ACAN) system was used to store only Registry data (founded child abuse reports) for all Child Abuse Investigations prior to the full implementation of STAR in 1997.

August 1996

The STAR system was developed to store all child abuse data. Prior to this time, there were 19 counties that had implemented Child Protective Assessments (replacing Child Abuse Investigations) and entered child abuse data into Starbase, an interim data base system utilized from December 1995 to August 1996.

On August 19, 1996, the remaining counties also began implementing Child Protective Assessments and entering child abuse data in the STAR system.

July 1997

The ACAN system was no longer used for new Child Abuse Intakes after June 30, 1997. The ACAN system continued to be utilized for child abuse record checks for incidents prior to July 1, 1997.

Child abuse data for all incidents reported statewide, with an intake date of July 1, 1997 or later, were entered in the STAR system.

Child Protective Assessments were fully implemented statewide during fiscal year 1998 (July 1, 1997 - June 30, 1998). Polk County was the exception, postponing implementation until September 1998. Child Protective Assessments eliminated the use of Child Abuse Investigations and drastically changed the DHS approach to allegations of child abuse by creating a more positive and strength based approach to working with families.

Iowa Code amendments in 1997 resulted in a differentiation of findings or outcomes of Child Protective Assessments and a determination made as to whether the incident would be placed on the Registry. This resulted in a significant change in the maintenance of case records, authorized access, and dissemination procedures. Cases where the abuse was not confirmed and cases where abuse was confirmed but not placed on the Registry were not maintained on the Registry, but rather these cases were maintained at the local county offices and collectively within the STAR system.

July 1999

STAR programming had not been completed for the production of cumulative statewide reports on all data elements as reported on the A-4 report produced from ACAN data for the past decade. The five regions were providing monthly STAR data to the program manager for data needs until STAR reports were fully available.

July 2000

STAR data became accessible as a test site on the DATA Warehouse link.

July 2005

Child abuse data is available on the DHS website, currently located at:

<http://dhs.iowa.gov/reports/child-abuse-statistics>

July 2011

House File 562 directed the DHS to continue work to ensure the due process rights of a person alleged to have committed child abuse are addressed in a timelier manner while also ensuring that children are protected from abuse. As a result, the following actions were put into place:

- The DHS director agreed to add a staff position to process appeals from the proposed administrative law judge decisions filed and taken by the DHS to the director.
- The Attorney General's Office and the Department of Inspections and Appeals implemented procedure to expedite appeals in cases where employment is at risk, offering the parties the opportunity to have an appeal heard as quickly as six weeks after notification of the appeal.
- The Attorney General's Office agreed to temporarily shift resources to add additional assistant attorneys if necessary to prevent back logs and delays in expedited appeals (those having employment implications).

July 2012

Iowa Code section 235A.19 (House File 562) requires that any proposed decisions made after July 1, 2012 will be the final decision after 45 days if there is not a final decision made prior to that time.

Iowa Code section 235A.18 (House File 2226) requires that a person named on the Registry as having abused a child shall have their name removed from the Registry if that person has not had another founded subsequent report within the ten-year period.

Per House File 2226, the DHS was charged with providing recommendation to the General Assembly regarding the length of time a person named in a child abuse report as having abused a child should remain on the registry and the circumstances under which the department may remove the name of a person named in the report as having abused a child from the report and disposition data prior to the expiration of a ten-year period.

House File 2226 also charged the DHS with completing a comprehensive review to determine whether to recommend implementation of a differential response to child abuse reports. Upon implementation, a differential response system would ultimately decrease the number of persons listed on the Registry for less serious types of abuse.

January 2014

Iowa Code Chapter 232 (House File 590) was amended to implement a differential response system to include two discrete pathways to respond to accepted reports of child abuse. The child abuse assessment pathway requires a determination of abuse and a determination of whether criteria for placement on the Registry are met. The family assessment pathway identifies the families strengths and needs, connects the family to the appropriate services needed, and does not include a determination of abuse or a determination of whether criteria for placement on the Registry are met. The federal Child Abuse Prevention and Treatment Act (CAPTA) also support the use of Differential Response Systems.

Iowa Code section 232.71D (House File 590) was amended to require the child abuse information from a confirmed report of abuse to be placed in the Registry as a case of founded child abuse if the person responsible has a previous confirmed or founded case within the previous 5 years.

Iowa Code section 235A.18 (House File 590) was amended to require a person's name to be removed from the Registry after 5 years if that person committed physical abuse, denial of critical care (DCC), or presence of illegal drugs in a child's body (PIDS) and the child abuse did not result in the child's death or serious injury and that person has no further abuse within that 5-year period.

Child Abuse Record Checks:

In accordance with Iowa Code, the DHS processes Registry requests for child abuse background checks for employers, licensing, registration, and certification. In addition, the DHS completes background checks for the general public with signed authorization of the individual. In 2015, the DHS manually processed a total of 44,415 Registry requests and authorizations for child abuse information.

In addition to Registry requests that are manually processed, authorized employers have access to the Single Contact Repository (SING*) application to perform background checks which report whether there is or is not a "hit" on the Registry for the potential employee. SING does not provide the details as to the type of abuse or the circumstances surrounding the abuse. If the potential employers of a statutorily defined program requests approval to hire, the DHS will review criteria as defined in Iowa Administrative Code and indicate whether the employee is or is not prohibited from serving in the specific employment role based upon the registry placement. In 2015, there were 234,397 total requests through SING.

*SING is an internet application developed and sponsored by the Office of the Chief Information Officer (originally by the State Department of Administrative Services until 2014) and the Information Technology Enterprise that allows registered users to perform background checks on potential employees, volunteers, and students doing clinicals, from a single web screen. The application lets a user check Iowa criminal history, 3 abuse registries (child, dependent adult, and sex offender) and over 40 Public Health professional license types from one click on the screen.

Considering both manual requests and SING requests, there were a total of 278,812 Registry requests for child abuse information. The DHS is also responsible for the Registry of Dependent Adult abuse record checks and record maintenance. This information is available in the Annual Dependent Adult Abuse Registry Report.

A historical overview of how the record check process has evolved over time is provided below:

SFY 1996

The field offices opted to process child abuse record checks in the local county offices for day care registration, day care center licensure, adoption and foster care. This process became necessary as a result of the significant time period for the Registry to process the employment checks due to the increasing volume of checks.

Iowa Code section 235A.15 was amended to implement the Open Registry law. This law allows anyone to check the child abuse record of another with that person's authorization. Data regarding this access and usage method by the public is provided in the table below entitled "Authorizations to Release Child Abuse Information".

SFY 1999

Iowa Code section 235A.15 was amended to include access to child abuse information for the Department of Justice, Prosecutors Review Committee and for the general public to have access to child abuse information in cases of child fatalities and near fatalities.

The implementation of the STAR system is the only automation change for the Registry since ACAN was implemented in 1989. Microfilm continued to be a method of storage.

SFY 2001

Iowa Code section 235A.15 was amended to add school districts to the authorized list of entities with access for employee and volunteer record checks. Access was also added for professional licensing boards.

SFY 2002

Iowa Code chapter 235A was amended to increase access to the Registry. The child abuse record checks for childcare staff employment was centralized to a single unit (from field offices to the central office) after reorganization January 14, 2002.

Iowa Code section 235A.15 was also amended to add hospitals to the authorized list of entities with access for current and prospective employee record checks.

SFY 2004

Iowa Code section 235A.19 was amended to eliminate the Registry review requirement in the appeal process. A person appealing a founded abuse report is no longer required to have a Registry review decision in order to proceed to an administrative hearing. All appeals are processed through the DHS Appeals Division.

SFY 2005

Iowa Code section 235A.15 was amended to allow access by providers of care for children who are victims of abuse or to the records of persons responsible for abuse. Access was also added for the Early Access services, or a federal, state or local governmental unit or agency of the unit that has a need for information in order to carry out its responsibilities under law to protect children from abuse and neglect.

SFY 2006

Iowa Code section 235A.15 was amended to allow access by nursing school programs and mandate the Board of Educational Examiners to submit child abuse record checks.

SFY 2012

Iowa Code section 135C.33 (Senate File 2164) was amended to allow for an exemption from requirements of reevaluation of record checks for health care facility employment if an evaluation by the DHS previously approved employment and current record checks do not indicate a crime was committed or founded abuse record was entered subsequent to that evaluation.

Iowa Code section 237A.5 (Senate File 2164) was amended to add that a person employed by a child care facility or child care home provider who is hired by another child care facility or child care home provider, shall be subject to a record check. This amendment also allowed for an exemption from any requirements for reevaluation of record checks if an evaluation by the Department previously approved employment and current record checks do not indicate there is a transgression that was committed subsequent to that evaluation.

SFY 2013

Iowa Code chapters 135B and 135C (Senate File 347) were amended to allow for conditional employment in a hospital or a health care facility and also for conditional participation in a training program for up to 60 calendar days pending completion of the evaluation.

These amendments established that if an evaluation was previously performed by the DHS and the DHS determined the person's criminal and abuse backgrounds did not warrant prohibition of employment a person who is or was employed by a hospital and is hired by another hospital the person may commence employment if the conditions specified in the Act are met.

These amendments established that if an evaluation was previously performed by the DHS, and the DHS determined the person's criminal and abuse background did not warrant prohibition of employment a new employee may commence employment after 30 days if the conditions specified in the Act are met.

Data Summary:

The DHS processed 10,299 requests for entities with authorized access for employment and licensure in Calendar Year (CY) 2015. This includes a check and documentation on an individual's abuse record or provision of the written report. The following table indicates the types of requests received since State Fiscal Year (SFY) 1998.

Requests for Child Abuse Information

| Fiscal Year | Child Care* | Foster Home* | Adoption* | Employment | CCR&R | Schools | General | Total* |
|-------------|-------------|--------------|-----------|------------|-------|---------|---------|--------|
| SFY 1998 | 1,211 | 1,382 | 1,884 | 11,115 | 1,529 | NA | 1,893 | 19,014 |
| SFY 1999 | 334 | 990 | 1,990 | 8,402 | 2,282 | NA | 2,493 | 16,491 |
| SFY 2000 | 248 | 858 | 2,338 | 15,817 | 1,909 | NA | 3,679 | 24,849 |
| SFY 2001 | 38 | 872 | 2,392 | 17,030 | 2,071 | NA | 3,823 | 25,754 |
| SFY 2002 | 102 | 1,444 | 2,298 | 16,481 | 2,766 | 3,053 | 2,654 | 28,798 |
| CY 2003 | 214 | - | 2,498 | 15,129 | 3,647 | 6,159 | 1,767 | 29,414 |
| CY 2004 | 240 | 903 | 2,025 | 12,028 | 1,680 | 6,320 | 430 | 23,626 |
| SFY 2005 | 301 | 1,396 | 2,468 | 13,082 | 2,558 | 6,555 | 592 | 26,952 |
| SFY 2006 | 179 | 2,037 | 2,511 | 9,070 | 2,078 | 6,507 | 771 | 23,153 |
| CY 2007 | 325 | 876 | 2,314 | 6,396 | 2,075 | 6,604 | 1,169 | 19,759 |
| CY 2008 | 180 | 224 | 1,950 | 8,078 | 2,152 | 4,579 | 1,192 | 18,365 |
| CY 2009 | 586 | 691 | 1,598 | 7,879 | 1,582 | 1,199 | 1,102 | 14,637 |
| CY 2010 | 413 | 1,055 | 1,439 | 5,729 | 1,688 | 1,015 | 1,868 | 13,207 |
| CY 2011 | 390 | 1,071 | 1,470 | 3,886 | 1,173 | 666 | 1,906 | 10,531 |
| CY 2012 | 48 | 1,949 | 1,449 | 3,831 | 1,107 | 299 | 2,430 | 11,113 |
| CY 2013 | 270 | 994 | 1,474 | 3,155 | 877 | 1,384 | 2,185 | 10,339 |
| CY 2014 | 174 | 1,523 | 1,868 | 4,256 | 1,077 | 2,088 | 3,858 | 14,844 |
| CY 2015 | 89 | 716 | 804 | 1,916 | 680 | 1,828 | 4,266 | 10,299 |

*Many record checks for child care home providers and licensed center staff are processed by the county offices are not included in the totals indicated in the table above. The foster parents and adoptive parent record checks processed by the county offices are also not included in the total number of requests for child abuse information.

The public is allowed to submit a request for information on an individual if that individual provides signed authorization. In CY 2015, the DHS processed 34,116 requests from the entities identified in the table below. Authorizations received since SFY 1998 are included.

Authorization for the Release of Child Abuse Information

| Fiscal Year | Churches | Schools | Medical Facilities | Sports Related or Employment | Others | Volunteers | Total |
|-------------|----------|---------|--------------------|------------------------------|--------|------------|--------|
| SFY 1998 | 150 | 499 | 165 | 545 | 0 | 802 | 2,161 |
| SFY 1999 | 203 | 973 | 111 | 1,939 | 0 | 657 | 3,919 |
| SFY 2000 | 427 | 2,032 | 439 | 2,178 | 0 | 2,289 | 7,365 |
| SFY 2001 | 226 | 2,814 | 324 | 915 | 0 | 3,294 | 7,563 |
| SFY 2002 | 476 | 3,366 | 512 | 1,541 | 122 | 2,922 | 8,939 |
| CY 2003 | 1,089 | 1,442 | 351 | 3,317 | 125 | 4,249 | 10,573 |
| CY 2004 | 1,862 | 3,298 | 1 | 6,039 | 7 | 4,530 | 15,337 |
| SFY 2005 | 1,848 | 6,368 | 9 | 4,316 | 131 | 5,876 | 18,679 |
| SFY 2006 | 582 | 9,876 | 13 | 9,452 | 57 | 6,025 | 26,005 |
| CY 2007 | 285 | 7,624 | 7 | 12,234 | 143 | 7,089 | 27,382 |
| CY 2008 | 408 | 6,639 | 39 | 14,863 | 198 | 11,882 | 33,729 |
| CY 2009 | 888 | 5,278 | 2 | 15,436 | 282 | 12,496 | 34,382 |
| CY 2010 | 938 | 5,074 | 15 | 14,593 | 448 | 10,307 | 32,375 |
| CY 2011 | 411 | 7,206 | 16 | 14,602 | 442 | 10,042 | 32,719 |
| CY 2012 | 110 | 8,308 | 0 | 17,677 | 552 | 11,437 | 38,084 |
| CY 2013 | 4,632 | 9,784 | 3,208 | 29,451 | 508 | 7,073 | 54,656 |
| CY 2014 | 3,439 | 10,418 | 2,147 | 38,594 | 1,204 | 5,841 | 61,643 |
| CY 2015 | 3,463 | 10,827 | 173 | 13,991 | 803 | 4,859 | 34,116 |

At the close of each year, the DHS generates statistics for child abuse and neglect. The following table provides the total number of reports accepted for assessment of child abuse and neglect and the breakout of findings for those assessments.

General Child Abuse Data and Findings

| Fiscal Year | Accepted Assessments | Abuse Founded | Abuse Confirmed | Abuse Not Confirmed | Family Assessment |
|-------------|----------------------|---------------|-----------------|---------------------|-------------------|
| SFY 1998 | 20,852 | 4,550 | 2,219 | 14,083 | NA |
| SFY 1999 | 18,632 | 4,728 | 1,760 | 12,144 | NA |
| SFY 2000 | 20,039 | 5,344 | 7,204 | 12,835 | NA |
| SFY 2001 | 25,105 | 6,731 | 8,691 | 16,414 | NA |
| SFY 2002 | 24,246 | 6,452 | 8,062 | 16,184 | NA |
| CY 2003 | 25,490 | 9,509 | unavailable | 15,981 | NA |
| CY 2004 | 25,270 | 7,756 | 1,934 | 15,580 | NA |
| CY 2005 | 27,039 | 7,874 | 2,041 | 17,124 | NA |
| CY 2006 | 24,789 | 7,529 | 1,728 | 15,532 | NA |
| CY 2007 | 22,991 | 6,610 | 1,874 | 13,507 | NA |
| CY 2008 | 23,236 | 6,141 | 1,840 | 15,255 | NA |
| CY 2009 | 25,814 | 7,011 | 1,856 | 16,947 | NA |
| CY 2010 | 26,413 | 6,794 | 2,187 | 17,432 | NA |
| CY 2011 | 30,747 | 7,119 | 2,593 | 21,035 | NA |
| CY 2012 | 28,918 | 7,132 | 2,484 | 19,302 | NA |
| CY 2013 | 26,129 | 6,678 | 2,233 | 17,218 | NA |
| CY 2014 | 23,562 | 4,380 | 1,154 | 10,259 | 7,769 |
| CY 2015 | 24,298 | 4,811 | 1,231 | 10,787 | 7,469 |

The data counts each report (or assessment) of child abuse and neglect. Each assessment may address one or multiple children; this data counts only the assessment and not individual children. Data is counted by CY, effective 2003 to conform to federal data reports.

It's important to note, the total number of assessments in CY 2011 does not reflect an increase in the number of children abused, but rather, was a result of reports of suspected abuse that were required to be split into multiple assessments due to a change in practice that further protected confidential information. This is supported by the findings regarding abuse for unique children, as this number decreased nearly 7 percent from CY 2010.

In CY 2014, the total number of assessments decreased 10 percent from 2013. However, this total is considered to be within normal variation year to year. Most assessments are Not Confirmed, aligned with National data. As expected with the implementation of differential response, 33% of all accepted cases were assigned as Family Assessments and 67% were assigned as Child Abuse Assessments.

Conclusion:

The Central Abuse Registry includes a statewide listing of persons who were found to have abused or neglected a child. Access to the Registry is limited to persons or entities with authorized access, as provided by Iowa law. The annual Child Abuse Registry Report provides the General Assembly with non-confidential data related to the purpose of the Registry and serves as a tool for ongoing data analysis.

Requests for child abuse information have decreased by just over 4,500 requests since last year. Requests from all but one entity decreased from last year. Requests from the general category was the only increase. The most significant decrease in requests came from the employment entities with just over 2,300 less requests. The decrease for the remaining entities were between 85 and just over 1,000 less requests. There is not one specific factor identified that explains the overall decreased number of requests for child abuse information.

Authorizations for the release of child abuse information have also decreased in four of the six categories. Authorizations for medical facilities, sports related or employment, volunteers, and others have decreased, while authorizations for churches and schools has slightly increased. The most significant decrease in authorizations came from sports related or employment entities with more than 24,000 less authorizations over the past year. Authorizations for medical facility entities dropped just over 1,900, volunteer entities by just over 900 and other entities by just over 400, while authorizations for churches and schools all increased slightly. As with requests, there is not one specific factor identified that explains the overall decreased number of authorizations.

In review of child abuse and neglect data, there was a slight increase with just over 24,000 assessments accepted for abuse or neglect in CY 2015. As mentioned in the "General Child Abuse and Data Findings" table, 7,469 (31%) of all accepted reports of suspected child abuse were assigned as a Family Assessment and had no finding/outcome. The remaining 16,829 (69%) were assigned as a Child Abuse Assessment. Of those Child Abuse Assessments, 64% were not confirmed, which is similar to past years and also aligns with National data. There was Confirmed or Founded abuse in the remaining 36%, which included 6,042 children. Of those children, 1,231 were subject of Confirmed abuse and 4,811 were subject of Founded abuse. The perpetrators of the Founded abuse were all added or remained (from previous incidents of Founded abuse) on the Child Abuse Registry.