

Strong States, Strong Nation



PARENTAL SUBSTANCE ABUSE & CHILD WELFARE

 NATIONAL CONFERENCE *of* STATE LEGISLATURES

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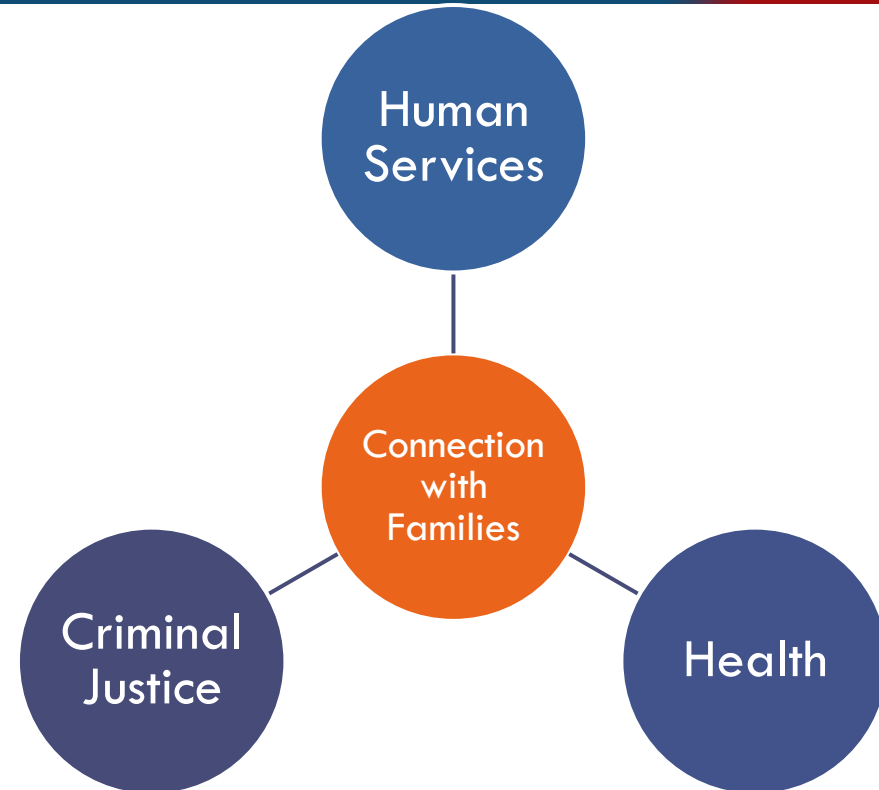
About NCSL

- Bipartisan organization serving legislators and staff in all 50 states and territories
 - Improve the quality and effectiveness of state legislatures
 - Promote policy innovation and communication among state legislatures
 - Provide state legislatures a strong, cohesive voice at the federal level



Broad Impact

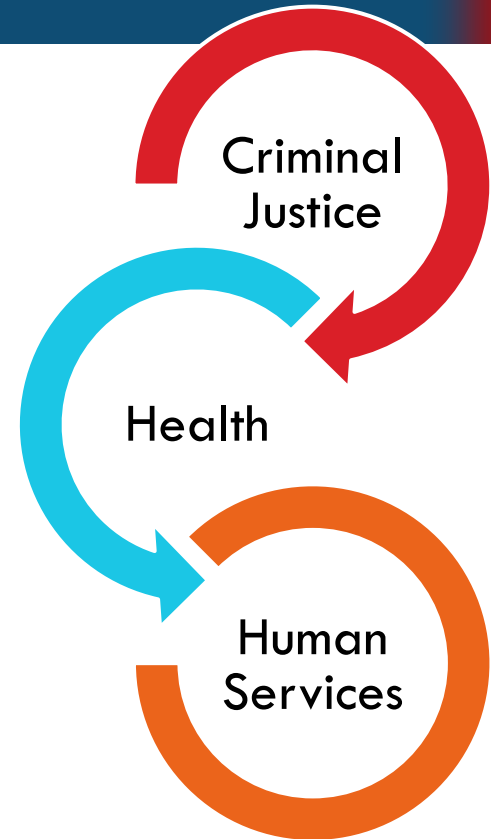
- These families cross many different jurisdictions and issue areas
- Communication and collaboration is critical





What Are States Doing About It?

- Process so far has been to hop from one to the other





Criminal Justice

- ❑ A.K.A. the original drug treatment program
- ❑ Naloxone
 - ❑ Access and education
- ❑ Good Samaritan Laws
 - ❑ Providing immunity to those who call for help
- ❑ Diversion
 - ❑ Treatment access through “the system;” a non-traditional criminal justice path to address substance abuse needs
- ❑ Deflection
 - ❑ No entry into the criminal justice system at all. E.g., pre-arrest programs or law enforcement assisted diversion



Health

- ❑ Medication Assisted Treatment (MAT)
 - ❑ Methadone, Suboxone
- ❑ Prescription Drug Monitoring Programs (PDMPs)
 - ❑ Linking prescription data to patients
 - ❑ Potential to be used to link data with other agencies (e.g., child welfare)
- ❑ Prenatal Substance Exposure and Neonatal Abstinence Syndrome
 - ❑ Ensuring healthcare professionals know the signs
 - ❑ Education to health professionals and patients on safe sleep and drug treatment programs
 - ❑ Can trigger a child abuse and neglect report to child protective services
- ❑ Treatment Access
 - ❑ All these systems are feeding the treatment programs and there is a treatment shortage



Human Services Response

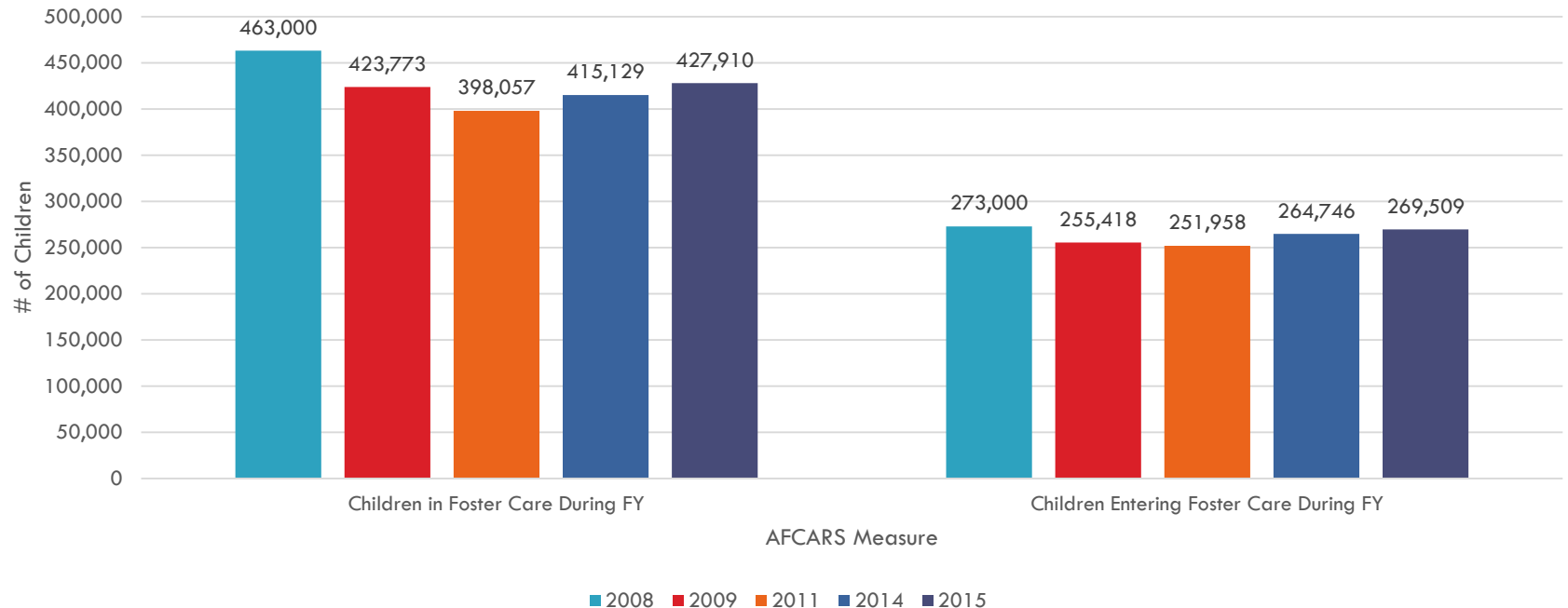
- ❑ Now seeing the move to how all of this is impacting families and what to do about it
- ❑ Highest foster care caseloads in almost a decade
- ❑ Higher prevalence of children under age 1 in foster care
- ❑ Higher incidence of neonatal abstinence syndrome
- ❑ Federal Legislation
- ❑ State Legislation
- ❑ State and Local Programs



In FY2015, there were approximately 428,000 children in foster care in the U.S., the highest caseload since 2008. In the same year, nearly 270,000 children entered care, the highest number since 2008



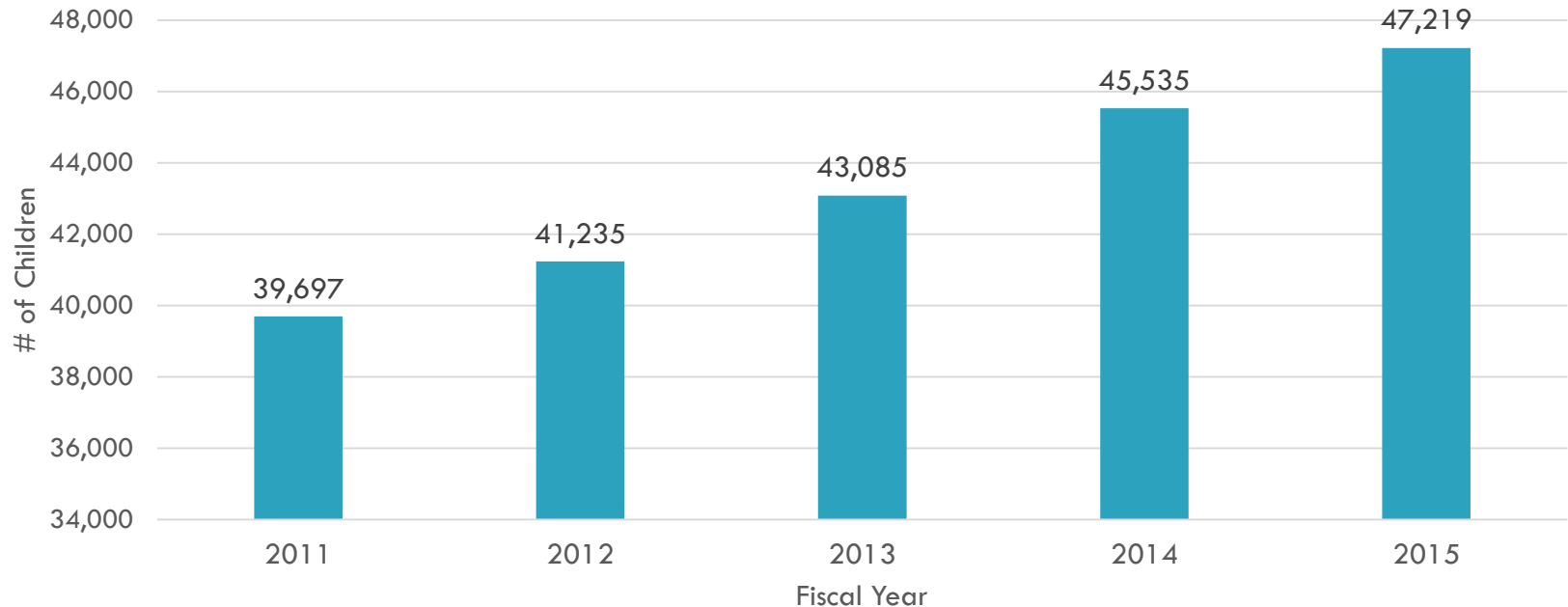
Number of Children in Foster Care and Number of Children Entering Foster Care



The number of children under the age of 1 entering foster care is increasing, the highest percentage, by age group, of children entering foster care



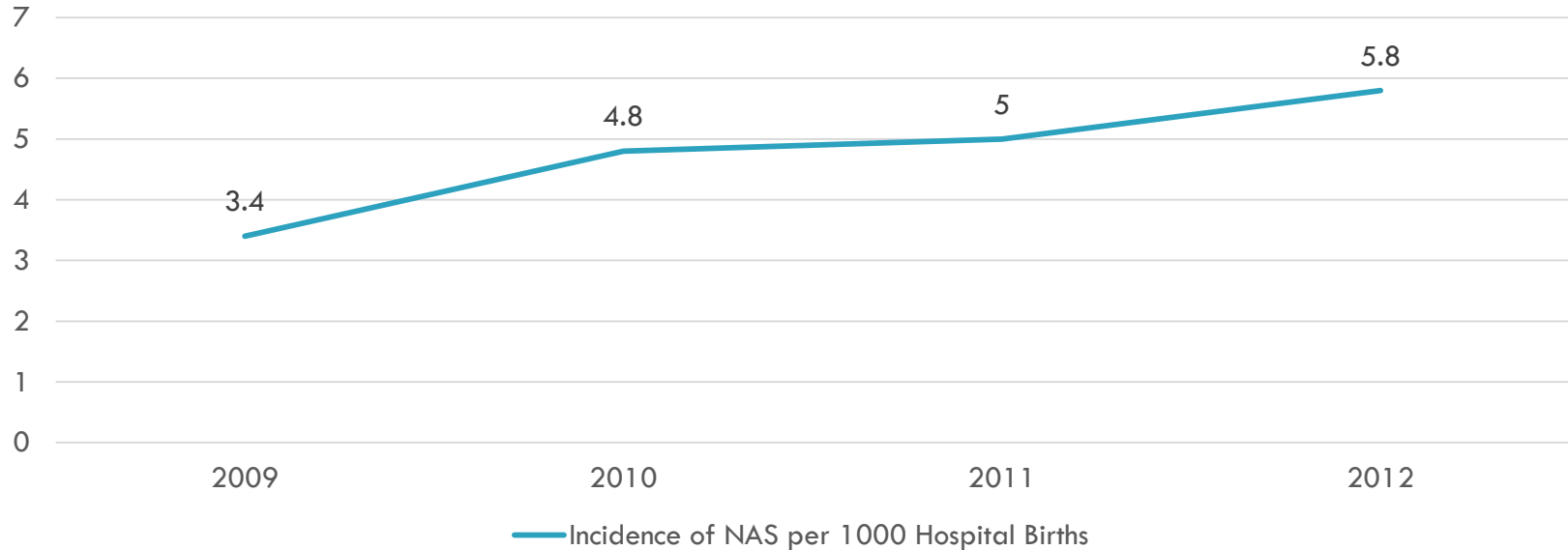
of Children Under Age 1 Entering Foster Care by FY



The number of children experiencing neonatal abstinence syndrome (NAS) is on the rise



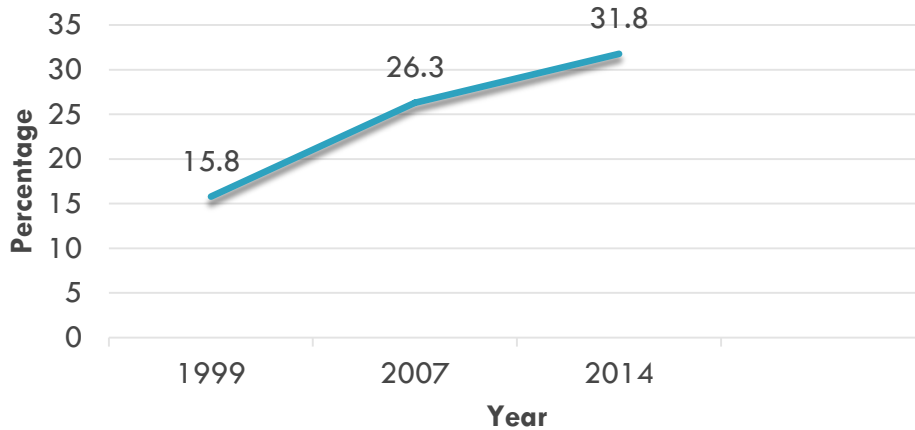
Incidence of NAS per 1000 Hospital Births



From 1999-2014, the incidence of parental alcohol or other drug use as a reason for removal more than doubled



Percentage of all Children in Out-of-Home Care During Fiscal Year Where Parental Alcohol or Other Drug Use was a Reason for Removal



Massachusetts: 28% jump in the number of children removed from their homes in the last three years

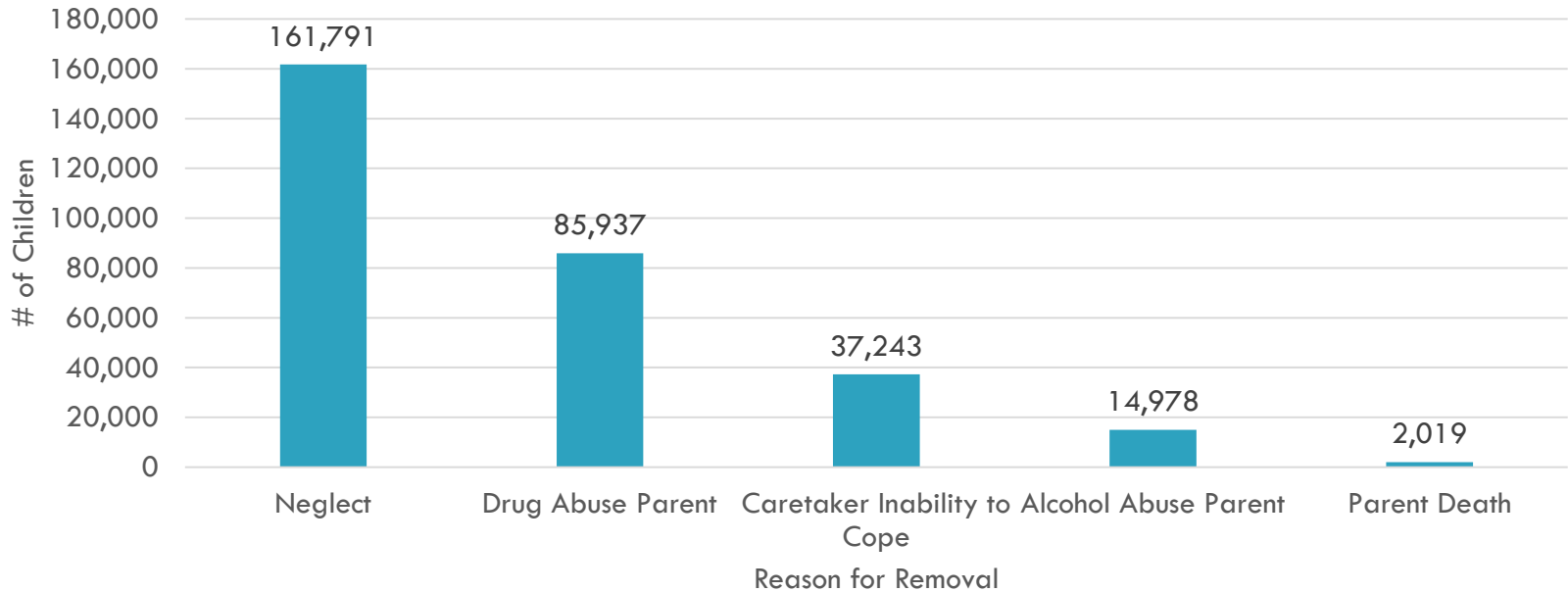
Indiana: 40% jump in “children in need of services” from 2013-2015, while half of new cases cited substance abuse as a factor for removal

Source:
AFCARS

For the first time AFCARS provides specific data showing removals due to parental drug and other co-occurring reasons for removal such as neglect, caretaker inability to cope, alcohol abuse of a parent and parent death



Reason for Removal Related to Parental Substance Use in FY 2015





Federal Legislation

- The Child Abuse Prevention and Treatment Act (CAPTA), amended by the Comprehensive Addiction and Recovery Act in 2016 (CARA)
- CAPTA:
 - Requires states to have policies and procedures for hospitals to notify CPS of all children born who are affected by illegal substance use or withdrawal symptoms resulting from prenatal drug exposure or indications of FASD
 - Requires CPS agencies to develop a plan of safe care for every such infant referred to their agency and address the health and substance use disorder treatment needs of the infant
- CARA:
 - Removed the word illegal so CAPTA applies to all substance abuse
 - Requires the plan of safe care to also address the treatment needs of affected family or caregivers
 - Requires states to report in the National Child Abuse and Neglect Data System (NCANDS)
 - Requires states to develop a monitoring system to determine whether and how the local entities are providing referrals to and delivery of appropriate services for the infant and affected family or caregiver
 - Requires all children who are younger than three years who are substantiated victims of child maltreatment are referred to early intervention agencies that provide developmental disabilities services



State Legislation

- ❑ 47 states and territories address parental substance abuse in child protection statutes
- ❑ 14 states and D.C. include pre-natal drug exposure in the definition of child abuse and neglect
- ❑ 19 States and D.C. have assessment or reporting procedures for infants who show evidence of prenatal alcohol or drug exposure
- ❑ During 2017 session, approx. 21 states introduced 48 bills addressing parental substance use and child welfare/well-being

State and Local Programs



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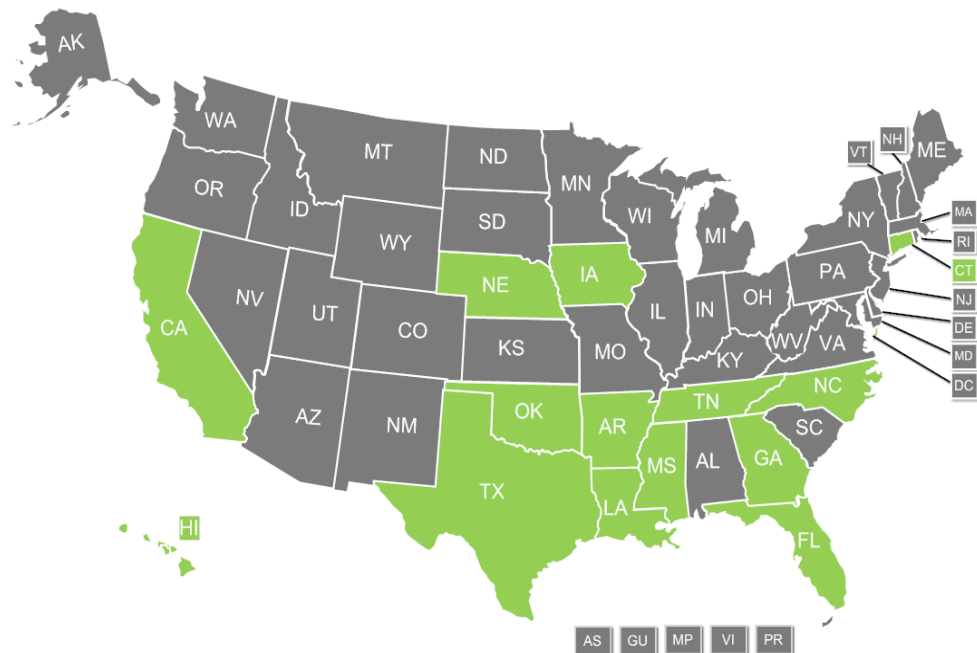
- ❑ Court-Based Programs
 - ❑ Family Drug Treatment Courts
 - ❑ Zero to Three Safe Baby Court Teams
- ❑ Treatment Programs for Mothers and Babies
 - ❑ Child and Recovering Mothers (CHARM) Collaborative
 - ❑ Lily's Place, West Virginia
- ❑ Family Based Approaches
 - ❑ Connecticut Family Stability Pay for Success Project
 - ❑ Ohio Sobriety, Treatment and Reducing Trauma (START)
- ❑ Regional Partnership Grants
 - ❑ One of the Regional Partnership Grant Recipients
 - ❑ Cross-system Collaboration
- ❑ Handle with Care
- ❑ State legislatures have created special committees or task forces
- ❑ Lots of local programs, few, if any, statewide/to scale programs

Safe Baby Court Teams



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- Bring stakeholders (e.g., child welfare agencies, substance abuse treatment providers, mental health treatment providers, other community supports) together with child, birth parents, foster parents etc. to help move towards reunification.
- Viewed with a trauma-informed/ACEs lens
- Sometimes called early childhood courts because of focus on child development.



LEGEND

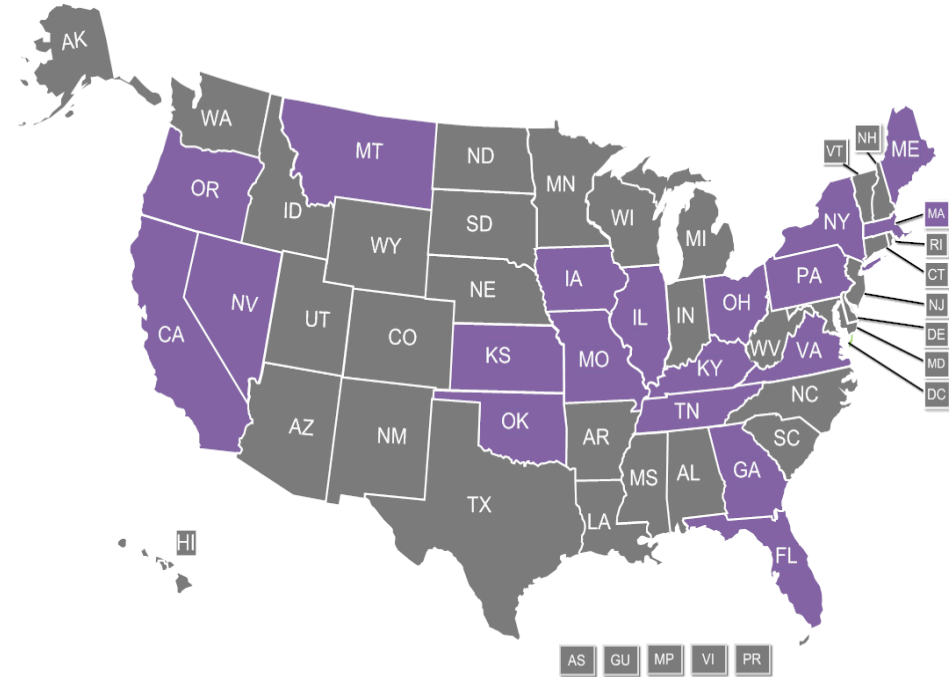
- States with active, legacy, or QIC demonstration site

Regional Partnership Grants



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- ❑ 11 substance abuse or service providers
- ❑ 6 state child welfare and/or substance abuse agencies
- ❑ 1 county child welfare agency
- ❑ 2 universities



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■ States that have received Regional Partnership Grants in 2012 and 2014



Questions?

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