



Opioid Exposed Pregnancies in North Carolina

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Impact of Federal Legislation on States



Amended Child Abuse Prevention and Treatment Act (CAPTA)

States receiving CAPTA funding are required to assure the federal government that they have a law or statewide program in effect and under operation that:

*Addresses the needs of infants born and identified as being affected by **illegal** substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or a Fetal Alcohol Spectrum Disorder (FASD) with*

- *A requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition of such infants*
- *The development of a plan of safe care for the infant...to ensure the safety and well-being of such infant following release from the care of healthcare providers, including through –*
 - *Addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver; and*
 - *Development and implementation by the State of monitoring systems regarding the implementation of such plans to determine whether and in what manner local entities are providing, in accordance with State requirements, referrals to and delivery of appropriate services for the infant and affected family or caregiver*

North Carolina's Response to CAPTA

Health Provider Involved in the Delivery or Care of Infant

1. Identifies infant as "substance affected" based on DHHS definitions
2. Makes notification to county child welfare agency.

County Child Welfare Agency

1. Completes CPS Structured Intake Form (DSS-1402) with caller
2. Develops Plan of Safe Care/CC4C Referral using ONLY the information that is obtained during the intake process
3. Refers ALL infants and families to CC4C PRIOR to any screening decision being made
4. Collects and reports required data
5. Uses "Substance Affected Infant" Policy to screen report and provide services for screened in cases

Care Coordination for Children (CC4C)

1. Participation is voluntary
2. Services based on needs identified in Plan of Safe Care
3. Progress is monitored based on monitoring tools already in place

Identifying a Substance Affected Infant

Affected by Substance Abuse:

Infants who have a positive urine, meconium or cord segment drug screen with confirmatory testing in the context of other clinical concerns as identified by current evaluation and management standards.

OR

Medical evaluation, including history and physical of mother, or behavioral health assessment of mother, indicative of an active substance use disorder, during the pregnancy or at time of birth.

Health Care
Provider
Involved in the
Delivery or
Care of Infant

Identifying a Substance Affected Infant

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Affected by Withdrawal Symptoms:

The infant manifests clinically relevant drug or alcohol withdrawal.

Identifying a Substance Affected Infant

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Affected by FASD:

Infants diagnosed with one of the following:

- Fetal Alcohol Syndrome (FAS)
- Partial FAS (PFAS)
- Neurobehavioral Disorder associated with Prenatal Alcohol Exposure (NDPAE)
- Alcohol-Related Birth Defects (ARBD)
- Alcohol-Related Neurodevelopmental Disorder (ARND)*

OR

Infants with known prenatal alcohol exposure when there are clinical concerns for the infant according to current evaluation and management standards.

*Hoyme, HE, Kalberg, WO, Elliot, AJ, et al. Updated Clinical Guidelines for Diagnosing Fetal Alcohol Spectrum Disorders. Pediatrics, Volume 138, number 2, August 2016

Notifying Child Protective Services

Health Care
Provider
Involved in the
Delivery or
Care of Infant

In North Carolina, a notification to the county child welfare agency must occur upon identification of an infant as “substance affected,” as defined by DHHS.

Notification requirement does **NOT**:

- Mean that prenatal substance use = child maltreatment
- Establish a definition under Federal law of what constitutes child abuse or neglect
- Change NC General Statutes

Care Coordination for Children (CC4C)

Care
Coordination
for Children
(CC4C)

- Participation is voluntary
- Services are based on needs identified in Plan of Safe Care
- Progress is monitored with tools already in place

Screening using the “Substance Affected Infant” Policy

County
Child
Welfare
Agency

- While the notification is required, the infant may not be appropriate for child welfare services if there is an absence of immediate safety concerns
- North Carolina child welfare policy continues to focus on the *effect* substance use has had on the infant and not act of prenatal substance use
- Once a county child welfare agency is notified of the identification of a “substance affected infant,” it will consult the Substance Affected Infant Screening Tool to determine if a CPS Assessment is warranted

Child Welfare Policy: Substance Affected Infants

County
Child
Welfare
Agency

- **“Automatic” Petitions**
- **Medication Assisted Treatment**
- **Safe Sleep**
- **Screening for Referral to CDSA**

Local Collaboration to Support Plans of Safe Care

Build on existing local collaboratives or create collaboratives that brings together stakeholders:

- **CC4C, County Local Health Department**
- **Hospitals**
- **County Child Welfare**
- **Substance Use Disorder Treatment Programs**
- **Local Management Entity-Managed Care Organizations**
- **Home visiting programs**
- **Domestic Violence Shelters**
- **Drug Treatment Courts**
- **Child Development Services Agency (CDSA)**
- **OB Care Managers, County Local Health Department**

Resources

- Handouts: Executive Summary, Infant Plan of Safe Care for Families FAQ, CC4C Referral form
- Archived July 2017 webinar, entitled, Substance Exposed Infants, CAPTA and Hospitals found at:
https://whb.adobeconnect.com/_a1138253972/pq9wxqaexbot/?launcher=false&fcsContent=true&pbMode=normal
- CAPTA/CARA Monthly Conference Calls
Toll-Free Number (877) 594-8353
Participant Pass Code 48729103
December 14th 4 PM-5 PM
- ADCNC Perinatal Substance Use Project: 1-800-688-4232 or
<https://www.alcoholdrughelp.org/copy-of-family-support-groups-1>
- North Carolina Pregnancy and Opioid Exposure Project:
<http://ncpoep.org/>
- FASD in NC: <http://www.fasdinnc.org/>

Questions and Feedback

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Thank you!