



July 23, 2020

Child Welfare Services County Letter No. 2020-01

To: County Departments of Family and Children Services
DFCS District Directors
DFCS Regional Directors
State Office Staff

From: Tom C. Rawlings, Division Director 
Georgia Division of Family and Children Services

Re: Child Welfare Policy Manual: Repeal of Child Protective Services Information System (CPSIS) (2020 Legislative Update)

Purpose

The purpose of this Child Welfare Services County Letter (CWSCL) is to announce policy changes resulting from passage of state legislation repealing the Child Protective Services Information System (CPSIS)/Child Abuse Registry.

Discussion

The Georgia Division of Family and Children Services (DFCS) is responsible for the safety, permanency, and wellbeing of children served. As part of that responsibility, DFCS must adhere to state and federal legislation guiding the provision of child welfare services. The enactment of House Bill 993 (2020) has repealed or voided all laws creating and governing the operation of the Child Protective Services Information System (CPSIS)/Child Abuse Registry. Therefore, effective immediately:

1. DFCS will no longer maintain a child abuse registry, therefore substantiated maltreaters in Georgia will not be subject to inclusion on a child abuse registry; and individuals/entities will no longer be able to screen a child abuse registry in Georgia.
2. Chapter 20: Child Protective Services Information System (CPSIS)/Child Abuse Registry: All policy sections and any related forms in this chapter will be removed from the Child Welfare Policy Manual and its provisions, referenced throughout the manual, voided from policy and practice.

The following outlines policy and practice changes resulting from the repeal of the CPSIS/Child Abuse Registry:

Discussion of CPS Investigation Outcome with Substantiated Maltreaters

1. Discussions of a substantiation determination between DFCS staff and the substantiated maltreater shall no longer include a discussion of the CPSIS/CAR. Instead, substantiated maltreaters shall be informed that they will receive a Notification of Child Protective Services (CPS) Investigation Outcome, which will provide instructions to request a CPS Administrative Review if they want to dispute the investigator's substantiation determination.
2. The following policies will be updated to reflect the changes implemented by this county letter regarding discussion of the substantiation determination with a substantiated maltreater:
 - a. Chapter 5: Investigations
 - i. 5.1 Conducting an Investigation
 - b. Chapter 6: Special Investigations
 - i. 6.3 Conducting Special Investigations on DFCS or Child Placing Agency Foster or Adoptive Homes
 - ii. 6.4 Conducting Special Investigations on Foster Care Kinship Placements
 - iii. 6.5 Conducting Special Investigations on Residential or Non-Residential Facilities
 - iv. 6.6 Conducting Special Investigations on Public or Private Non-Residential Schools

Notification of Substantiated Child Abuse

1. The Notification of Child Protective Services Investigations Outcome to substantiated maltreaters will continue to be handled by the State Office Safety Services Section.
EXCEPTION: The Notification of Child Protective Services Investigations Outcome to substantiated maltreaters who are minors will continue to be completed by the County Department pending Georgia SHINES enhancements.
2. The following policies will be updated to reflect the changes implemented in this county letter regarding notification of CPS investigation outcome:
 - a. 5.4 Notification of Child Protective Services (CPS) Investigation Outcome
 - b. 6.8 Making a Special Investigation Determination
 - c. 6.9 Notifications in Special Investigations

Appeal of Substantiated Cases

1. Previously substantiated maltreaters requested an appeal hearing with the Office of State Administrative Hearings (OSAH) to avoid inclusion on the Child Abuse Registry. With the passage of state law, repealing the Child Abuse Registry, OSAH hearings have ceased.
2. Pursuant to section 106 (b)(2)(B)(xv)(II) of the Child Abuse Prevention and Treatment Act (CAPTA), states must have a process to hear appeals from substantiated maltreaters who disagree with an official finding of child abuse. In compliance with CAPTA requirements, effective July 1, 2020 substantiated maltreaters may dispute the substantiation against them through current administrative review procedures outlined in policy [5.5 Investigations: Child Protective Services \(CPS\) Administrative Reviews](#).

3. Policy 5.5 Investigations: Child Protective Services (CPS) Administrative Reviews will be updated to reflect the changes implemented in this county letter.

Child Abuse Registry Screenings

1. Child Protective Services Information System (CPSIS)/Child Abuse Registry (CAR) screenings can no longer be completed with the repeal of the law. All policy provisions for CPSIS/CAR are no longer required. Where allowed by state or federal law, a Georgia SHINES screening will continue to be conducted.
2. Policy 19.9 Case Management: Safety Screenings will be updated to reflect the changes implemented in this county letter.

Implementation

This County Letter is immediately available on the Online Directives Information System (ODIS) at <http://odis.dhs.ga.gov/>. Regional and County Leadership shall provide opportunities for staff to review and discuss the updated policy to ensure implementation. Please refer to policy [1.3 Administration Access, Distribution and Review of Child Welfare Policies](#) for the applicable requirements and procedures for policy review.

Please direct questions regarding this policy release to the Field Program Specialist in your region. Regional staff shall submit questions to the Policy and Regulations Unit at PPDUnit@dhs.ga.gov.