

A user-friendly GUIDE TO

Child Abuse

FOR FAMILIES in Macomb County



About This Book

This *Small Book* is designed to assist families in locating free or low-cost community services in Macomb County and is designed to be user-friendly.

The book first lists a "SITUATION" followed by a short descriptive phrase about each of the known services listed for that situation, an explanation of the services and eligibility requirements (if applicable), and finally, the telephone number for the service.

This book lists services by a service category, not by agency. This helps to speed the finding of needed services. For the most part, only Macomb County resources are listed. Exceptions to this are out-of-county resources included if a Macomb County facility is filled or county or state services that may be accessed in Macomb County.

To aid you in your use of this book, you will notice the following format: Each "*Situation*" is enclosed in a black box to differentiate it from other situations.

The symbol (~) is placed in front of each new service under that category. All known services for a situation are grouped under it regardless of what agency offers those services.

As names of agencies and programs frequently change, please note that the former name is indicated in brackets { }.

Every effort has been made to assure that the information is up-to-date and accurate. Due to the dynamic nature of organizations, information changes often.

We hope that you enjoy this resource and that you are able to locate help more quickly. For your information, *Small Books* are available on the following topics:

| | |
|---------------------------------|-----------------------------|
| Adoption | Literacy |
| Child Abuse | Mental Health |
| Child Care | Parenting |
| Dementia | Recreation/Leisure |
| Dental | Runaway Services |
| Domestic Violence | Senior Citizen Services |
| Employment & Training Services | Sexual Assault |
| Fetal Alcohol Spectrum Disorder | Special Needs |
| Financial Assistance | Substance Abuse |
| Food | Suicide Prevention |
| Gambling Addiction/Problems | Support Groups |
| Resources | Teen Pregnancy Service |
| Health | Transportation |
| Homeless Services | Utility Assistance |
| Housing | Vision and Hearing Services |
| Legal Issues | Glossary |

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CHILD ABUSE

SITUATION: You need to know the law regarding child abuse and neglect.

The State of Michigan Child Protection Law, is available at the following website: www.michigan.gov/documents/MCWLChap1_33835_7.pdf.

SITUATION: You suspect child abuse and/or neglect.

- ❖ **Children's Protective Services*** investigates complaints of child abuse and/or neglect of infants through 17 year olds. Available from the Department of Human Services* - Protective Services* Division:

Department of Human Services* - Children's Protective Services*
Hours: Monday - Friday 8:00 A.M. - 5:00 P.M.
(877) 412-6109 (Central Intake)

After making a referral to Children's Protective Services*, professionals are required to complete and submit DHS* form 3200 within 72 hours.

NOTE: Reporting your suspicion to your supervisor or administrator does not meet the requirement imposed by the law.

SITUATION: You suspect child sexual abuse.

- ❖ **Children's Protective Services*** investigates complaints of child abuse and/or neglect of infants through 17 year olds. Available from the Department of Human Services* - Protective Services* Division:

Department of Human Services* - Children's Protective Services*
Hours: Monday - Friday 8:00 A.M. - 5:00 P.M.
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After making a referral to Children's Protective Services*, professionals are required to complete and submit DHS form 3200 within 72 hours.

NOTE: Reporting your suspicion to your supervisor or administrator does not meet the requirement imposed by the law.

SITUATION: A pregnant female is using alcohol or other drugs.

At the present time, Michigan Children's Protective Services* (CPS*) policy, based upon the Child Protection Law, **does not define a fetus as a child**. Therefore, **the in-utero exposure of a fetus to drugs or alcohol is not within the authority of Children's Protective Services**. While CPS* cannot legally intervene prior to a child's birth, pregnant youth who are suspected of abusing drugs or alcohol and who are the subject of a complaint can be referred for substance abuse services and to local Maternal Infant Health programs as appropriate:

TO REFER FOR SUBSTANCE ABUSE SERVICES:

Community Assessment, Referral and Education* (CARE*): (586) 541-CARE (2273)

TO REFER TO THE MATERNAL INFANT HEALTH PROGRAM:

Maternal and Infant Health Program services are specialized preventive services provided to pregnant women, mothers, and their infants who have Medicaid to help reduce infant deaths and illnesses.

Qualified Health Plans (QHPs) are required to provide Maternal and Infant Health Program services to their members when the services are determined to be medically necessary. Maternal and Infant Health Program services may require prior authorization from a QHP or its providers.

For a list of MIHP service providers, go to:

http://www.michigan.gov/documents/DIR_151030_7.MSS.CBO.doc.pdf

SITUATION: A pregnant female is addicted to alcohol or other drugs.

It is the policy of the Michigan DHS* that **substance abuse or addiction of the parent-caretaker or adult living in the home to alcohol or drugs does not in and of itself constitute credible evidence of abuse or neglect of the child**. Parents use drugs (including legally or illegally obtained controlled drugs or other drugs) and/or alcohol to varying degrees and many remain able to care for their children without harming them.

A careful assessment needs to be made to determine whether a child is at risk. When alcohol and other drug abuse/addiction interferes with a person's ability to meet parental responsibilities and causes harm or threatened harm to the children, these failures of parental duty provide the basis for substantiating abuse.

In this case, call: Department of Human Services* - Children's Protective Services* (877) 412-6109 (Central Intake).

SITUATION: A child is residing in a home where adults are using alcohol or other drugs.

If other adults are residing in the child's home and are using drugs/alcohol, the parent/caretaker's capacity to care for the child and ensure his/her safety and well-being is to be assessed by DHS. For example, if it is determined that the child is being exposed to the violent environment in a drug house, this is considered to be a failure of parental duty and provides a basis for substantiating a finding of abuse or neglect.

Drug and alcohol exposure also includes environmental exposure to drugs and alcohol. For example, cocaine/crack is being smoked in the home and the infant and/or child/ren present are inhaling the smoke, or infants or children are given alcohol to drink or have access to alcohol or other drugs. *It may also include exposure to the violent and other unhealthy environments in which drugs are commonly sold or used.*

In these situations, contact the Department of Human Services* - Children's Protective Services* (877) 412-6109 (Central Intake, available 24 hours)

OTHER RESOURCES

- ❖ **Information (pamphlets, recommendations of videos, etc.) about child abuse and neglect** is available from Care House*, 131 Market St., Mt. Clemens, MI 48043, (586) 463-0123.
- ❖ **Child-friendly, protective environment for the investigation and intervention of all cases of child sexual abuse reported in Macomb County.** For families of children experiencing the trauma of sexual abuse, a team works together to provide consistent, non-threatening investigation. For more information, call Care House* at (586) 463-0123 (Mt. Clemens).
- ❖ **A toll-free crisis intervention telephone service for any kind of parenting issue** including developmental stages, discipline, child abuse, etc., Call: (800) 942-HELP (942-4357)

**SUMMARY OF ABUSE AND NEGLECT
REPORTING REQUIREMENTS**

| | DHS Child Protective Services Act 238 Public Acts 1975 | DHS Adult Protective Services Act 519 Public Acts 1982 | DCH and CMH Office of Recipient Rights Sec. 722 of Act 258 Public Acts 1974 | State of Local Police Agencies Sec. 723 of Act 258 Public Acts 1974, as amended |
|---|---|---|---|--|
| What must be reported? | Physical abuse Mental abuse Sexual abuse Neglect Sexual exploitation | Physical abuse Mental abuse Sexual abuse Maltreatment Neglect Exploitation | Physical abuse Verbal abuse Excessive use of force Sexual abuse Neglect Serious injury or death | Assault (other than patient to patient simple assault) Criminal sexual conduct Criminal homicide EXCEPTIONS: Occurred more than one year before your knowledge or neither occurred at a mental health provider work site nor by a mental health employee. |
| Who is required to report? | The law requires it of "mandated reporters" such as physicians, nurses, coroners, medical examiners, dentists, licensed emergency medical care personnel, audiologists, psychologists, family therapists, social workers, school administrators, school teachers/counselors, law enforcement officers & child care providers. | Any person employed, licensed, registered or certified to provide, or an employee of an agency licensed to provide health care, educational, social welfare, mental health or other human services; or a law enforcement officer or an employee of the county medical examiner. | All DMH/CMH employees All contract employees All employees of contract agencies All volunteers | All mental health professionals. All persons employed by DMH or under contract to DMH. All persons employed by entities under contract to DMH, CMH, or a facility. |
| What are the time-frames and types of reports that must be made? | Verbal report immediately Written report (DSS 3200) within 72 hours. | Verbal report immediately. Written report at the discretion of reporting person. | Verbal report immediately. Written report (DMH 2500A) before the end of the shift on which the alleged violation occurred. | Verbal report immediately Written report (DMH 2508) within 72 hours of oral report. |
| What are the criteria for reporting? | Reasonable cause to suspect. | Suspicion or reasonable cause to suspect or believe. | All suspected abuse or neglect. All abuse or neglect alleged by a recipient. | Reasonable cause to suspect. |

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| To whom do I make reports? | Verbal and written report to the Children's Protective Services in the DHS office in the county in which the violation is alleged to have occurred. If reporting person is an employee of an agency, hospital or school, he or she must also report to the chief administrator where he/she works. | Verbal and written report to the Adult Protective Services in the DHS office in the county in which the violation is alleged to have occurred. | Verbal and written reports to immediate supervisor, forwarded through chain of command to rights office. If immediate supervisor is not available, contact the local rights officer (or call 1-800-854-9090) and contact the responsible mental health agency.) | Verbal and written report to the law enforcement agency for the county or city in which the violation is suspected to have occurred, or to the State Police. Written report must be filed with the chief administrator of the facility or agency responsible for the recipient or resident. |
| Is there a penalty for failure to report? | Yes - Civil liability for damages caused by failure to report. Misdemeanor. | Yes - Civil liability for damages caused by failure to report. \$500 civil fine. | Yes. Disciplinary action, civil liability. | Yes - Sec 723c states that failure to report or false reporting is a misdemeanor. |
| Is it necessary to report to multiple agencies? | Yes, in all cases, each agency must be contacted regarding an allegation suspected to have occurred which falls under its specific jurisdiction. There are several citations in each law or rule stating that reporting to one agency does not absolve the reporting person of responsibility to report under other existing laws or to other responsible agencies. | | | |
| If there is more than one person with knowledge must all of them report? | You must report or "cause a report to be made." In the case of a school, hospital or agency, one report is adequate. | You must report. There is no provision for "causing a report to be made." However, DHS agencies have typically accepted one report from agencies, not requiring multiple reports. | Yes, all employees, contract employees, and volunteers must report. | You must report or cause a report to be made. This law provides that you need not report if you "have knowledge that the incident of abuse has been reported to the appropriate law enforcement agency." |
| Are there other agencies to which reports can be made? | Yes. The Michigan Department of Community Health is responsible for investigating abuse and neglect in nursing homes. The Michigan Attorney General's Office has an abuse investigation unit which may investigate abuse in nursing homes. Typically, licensing laws under which care facilities are required to operate, mandate that the provider must notify the licensing agency when complaints of abuse or neglect are received. For example, Public Health licenses nursing homes, while DHS licenses adult foster care facilities and child care organizations. | | | |

Developed by: The Office of Recipient Rights, Michigan Department of Community Health

ACKNOWLEDGEMENTS

This booklet has been developed from *"Making the Right Connection"*, a project of the Macomb County Inter Agency Council and its Youth Council Subcommittee.

For the complete Resource Directory, please go to www.misd.net/connection





GREAT PARENTS MACOMB*
Serving families with children birth to age 5

For information on other resources for families of children
age birth to 5 years, please call:

1.866.4MACOMB

1.866.464.2662

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