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To: County Birth to 3 Program Coordinators  
County Department of Human Services Directors  
County Department of Social Services Directors  
County Department of Community Programs Directors  
Area Administrators

Cc: State of Wisconsin Department of Children and Families

From: Jim Jones  
State Medicaid Director

### **Birth to 3 Program:**

### **Automated Child Abuse Prevention and Treatment Act (CAPTA) Referrals**

#### **Purpose**

This memo describes the automation of Child Abuse Prevention and Treatment Act (CAPTA) referrals and outlines statewide implementation steps to ensure highly vulnerable children have the opportunity to participate in the Birth to 3 Program.

#### **Background**

The Department of Health Services Bureau of Children's Services and the Department of Children and Families have automated CAPTA referrals from Child Protective Services (CPS) to the Birth to 3 Program. This enhancement to the system was prompted by recognition of the heightened vulnerability of children with disabilities and the potential benefits of participating in Birth to 3 Programs by children with substantiated cases of abuse and neglect.

Understanding vulnerability helps professionals serving children anticipate and mitigate risk to health and safety and the potential for serious injury. Research indicates children with disabilities face greater challenges to well-being than children without disabilities. Some children who are referred to the Birth to 3 Program have conditions present in their lives that render them more vulnerable and at a heightened risk to health and safety. In addition, studies show that many young children involved with child welfare exhibit delays in neurological and cognitive development, early language skills, and behavior.

#### **Federal Requirements**

In recognition of the need for child welfare and early intervention systems to work together, Congress established a partnership between the two systems intended to help young children involved in

substantiated cases of abuse or neglect with the 2003 and 2010 reauthorizations of the Child Abuse Prevention and Treatment Act (CAPTA) and the 2011 reauthorization of the Part C regulations of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004.

CAPTA requires state child welfare programs receiving Title IV-E funds to refer all children under the age of three who are involved in a substantiated case of abuse or neglect to early intervention services. CAPTA discusses specific elements that must be included in a State's plan, including "provisions and procedures for referral of a child under the age of three who is involved in a substantiated case of child abuse or neglect to early intervention services funded under part C of the Individuals with Disabilities Education Act. (42 U.S.C. § 5106a (b)(2)(A)(xxi))."

IDEA Part C requires Birth to 3 Programs to coordinate with child welfare agencies on such referrals (CFR 303.302(c) (1) (ii) (G)). IDEA requires states seeking grants to include in their applications "a description of the State policies and procedures that require the referral for early intervention services ... of a child under the age of 3 who – (A) is involved in a substantiated case of child abuse or neglect; or (B) is identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure (20 U.S.C. § 637(a)(6))."

### **Process Enhancements**

This memo and the updated [Program Participation System \(PPS\) User Guide](#) outline processes for Birth to 3 Programs to use when receiving automated referrals from the Wisconsin Statewide Automated Child Welfare Information System (eWiSACWIS). The process for receiving referrals has been expanded to include automated CAPTA and Child Welfare referrals, which will be sent electronically from eWiSACWIS to the PPS inbox. Up until now, all referrals from child welfare agencies have been provided through a paper process in Wisconsin.

Effective October 31, 2019, CPS staff will submit referrals via eWiSACWIS. The referrals will be located in the PPS inbox for access by local Birth to 3 Program staff. Automated CAPTA and Child Welfare referrals will be sent daily.

### **Operationalization**

The new system goes into effect October 31, 2019, and includes the following process flow:

- The Birth to 3 Program module of PPS will accept a nightly file of referrals from eWiSACWIS. PPS will send an e-mail notification to county Birth to 3 Programs when a referral is received. Birth to 3 Program staff will use the PPS inbox to process these referrals.
- The CAPTA and Child Welfare electronic referral will be sent to the Birth to 3 Program in the county in which the child welfare agency case originated.
- A substantiated case of child abuse and/or neglect will result in a CAPTA referral. Any other circumstance in which a child is identified by Child Welfare staff as having a potential delay or disability will result in a Child Welfare referral.

- The referrals will be accessed through the inbox in PPS in the same way that WE-TRAC audiological referrals are currently accessed. Any PPS user can access the inbox, located on the left navigation bar. The PPS inbox will indicate CAPTA, Child Welfare, or WE-TRAC as the referral source.
- An email alert will be sent to the email address previously selected by each county to notify staff of a referral.
- After processing the referral from the inbox, the Birth to 3 Program will follow typical Birth to 3 Program processes to respond to the referral.

Eligibility criteria for children referred to the Birth to 3 Program has not changed; children still need to be determined to have a delay in one or more areas of development or a diagnosed condition to participate in the Birth to 3 Program.

Questions on the new process should be directed to [BCS Technical Assistance \(TA\) staff](#).