**Office of the Chief Medical Examiner**

**Richmond, Virginia**

Meeting of the State Child Fatality Review Team

**March 10, 2017**

**Minutes**

**Members Present:**

**Beitz, Lisa**, Hanover County Community Services Board

**Board, Heather**, Virginia Department of Health

**Bowers, Jennifer**, Assistant Chief Medical Examiner

**\*Coyle, Betty Wade**, Prevent Child Abuse Virginia

**Dempsey, Steve,** King George County Sheriff

**Foster, Robin,** Virginia College of Emergency Physicians

**Hunter, Katharine,** Virginia Department of Behavioral Health and Developmental Services

**Miller-Hobbs, Corri**, VCU Health Systems – Safe Kids Virginia

**Milteer, Regina,** American Academy of Pediatricians

**Morales, Stephanie,** Portsmouth City Commonwealth’s Attorney

**Rodzinka, Elizabeth-Ryan,** 911 Supervisor, Waynesboro First Aid Crew

**Rose, Rutherfoord**, Virginia Poison Center

**Saimre, Maribel**, Virginia Department of Education

**\*Sobey, Kimberly**, Bland County Department of Social Services

**Sonenklar, Neil**, Virginia Treatment Center for Children

**Spain, Christopher,** Virginia Department of Social Services

**Wilson, Mary,** Virginia Department of Criminal Justice Services

**Members Absent:**

**Blumberg, Michael**, Medical Society of Virginia

**Gormley, William, Chair,** Chief Medical Examiner

**Phipps, Deron¸** Virginia Department of Juvenile Justice

**Rainey, Janet**, Division of Vital Records

**Wilkes, Scott,** Swope Volunteer Fire Company

**Staff:**

**Clevenger, Allison**, Office of the Chief Medical Examiner

**Powell, Virginia,** Office of the Chief Medical Examiner

\*Person attended by conference call.

Allison Clevenger called the meeting to order at 10:10 a.m. and went over the agenda for the day.

**Announcements and Business**

Minutes from the January 10, 2017 meeting were approved as written.

**Katharine Hunter** announced that the Department of Behavioral Health and Developmental Services (DBHDS) is working in conjunction with the Virginia Commonwealth University College Behavioral and Emotional Health Institute (VCU COBE) to host *Research to Recovery: A Town Hall Meeting.* The Town Hallwill be held on April 18-19, 2017at VCU. This event will convene community members, professionals, and researchers to discuss substance use and mental health in young people. It will emphasize a public health approach to overcoming these issues in order to develop strategies to effectively and systematically improve the response, treatment, and prevention of mental health and substance use in Virginia.

**Mary Wilson** announced that the Department of Criminal Justice Services, in partnership with the Commonwealth Attorney’s Services Council, the Virginia Victim Assistance Network, the Virginia Sexual and Domestic Violence Action Alliance, and the Virginia Victims Fund are hosting a conference entitled the *Intersections of Violence: Domestic Violence, Sexual Assault, and Child Abuse Conference* on April 12-14, 2017 in Norfolk, VA. The multidisciplinary conference will highlight promising practices and emerging issues to determine how to most effectively respond to domestic violence, sexual assault, and child abuse in Virginia communities. It will include several internationally and nationally known speakers.

**Child Protective Services Update** was given by Christopher Spain, Child Protective Services (CPS) Program Manager. Mr. Spain provided an update on legislative changes following the 2017 General Assembly session, many of which were made to allow CPS to align with the Child Abuse Prevention and Treatment Act (CAPTA) and the Comprehensive Addiction and Recovery Act (CARA). CPS will begin tracking plans of safe care including the number of infants who (1) are identified as substance exposed, (2) for whom a plan of safe care was developed, and (3) for whom a referral was made for appropriate services including those for the affected family or caregiver.

Other updates included the following:

* Effective July 1, §63.2-1509 will mandate CPS be notified if an infant is born affected by in-utero substance use regardless of whether the substance is illegal or legal and whether or not the mother sought substance use treatment. The definition of a substance exposed infant (SEI) also changed under this law. A positive toxicological finding indicating a controlled substance does not alone qualify as substance exposed. Infants must meet one of the following criteria to be considered a SEI (1) a finding made by a healthcare provider within six weeks of birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure; (2) a diagnosis made by a healthcare provider within four years following a child’s birth that the child has an illness, disease, or condition that, which to a reasonable degree of medical certainty, is attributable to maternal substance abuse of a controlled substance during pregnancy; or (3) a diagnosis made by a healthcare provider within four years following a child’s birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol.
* HB 2162 directs the Secretary of Health and Human Services to convene a workgroup to study the barriers to treatment for substance exposed infants (SEI) in Virginia. The workgroup will consist of representatives from DBHDS, the Department of Social Services, and other relevant stakeholders. The workgroup will review current policies and practices, identify barriers related to the identification, reporting, data collection, interagency coordination and collaboration, service planning, program availability, and funding for SEI, as well as make legislative, budgetary, and policy recommendations.
* SB 1086/HB 1786 clarifies that a family assessment requires the collection of information necessary to determine whether the mother of a child who was exposed to controlled substances in utero sought substance abuse counseling or treatment prior to the child’s birth. Also, if CPS receives a report or complaint about a SEI, a family assessment will be conducted, unless an investigation is required, and a plan of safe care will be developed regardless of whether the local department makes a finding of abuse or neglect.
* SJ 282 designates the first week in July as Substance Exposed Infant Awareness Week in Virginia.
* SB 868 mandates the State Board of Social Services to promulgate regulations that require an R-1, or 24 hour, response by CPS to all valid reports and complaints alleging suspected abuse or neglect of children under age 2.
* SB 1164/HB 2279 expands the transmission of reports, complaints, family assessments, and investigations to family advocacy representatives of the United States (U.S.) Armed Forces to include the children of active duty members of the U.S. Armed Forces.
* SB 1580 added the Department of Social Services and local social services to the list of employees who are excluded from the provisions of this section.
* HB 1971 excludes the records of a multidisciplinary team as they relate to individual child abuse or neglect cases or sex offenses involving a child from the Freedom of Information Act.
* HB 2217 expands the eligibility for the types of victims who can apply for the address confidentiality program to include sexual violence victims and includes specialized services for human trafficking victims.

**Discussion of the Review of Child Drowning Deaths.**

The Team entered a confidential session to continue their review of child drowning deaths in Virginia.

The next Team meeting is scheduled for **Friday, May 12, 2017.**

The meeting adjourned at 2:50 p.m.

*Minutes recorded by Allison Clevenger, MPH*