


Policy Subject:	Alternative Response
Effective Date:	March 18, 2022
Approved By:	Denise Conway, LCSW-C  Executive Director Social Services Administration
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Originating Office:	Child Protective Services/Family Preservation Services
Supersedes:	SSA #15-19 Alternative Response
Program(s) Affected:	Child Protective Services Family Preservation Services Permanency & Placement Services

PURPOSE:

The purpose of this policy is to provide direction on Alternative Response in the State of Maryland.

BACKGROUND:

Over the past several years, Child Protective Services (CPS) workers have seen an increase in the volume of referrals and the number of complex cases and a reduction in resources with which to respond. CPS screens out nearly half of all referrals. Of those approved for investigation, CPS makes findings of abuse and neglect in fewer than half the cases. Across the country, states are recognizing that many of the CPS referrals do not require a traditional investigative response to ensure the safety of children. Practice has shifted to provide an “Alternative Response” to those CPS referrals in which the risk to children is low and the labeling of caretakers as abusers or neglectors would serve little purpose. Best Practices show that partnering collaboratively with families leads to increased engagement and service utilization. Rather than an “Investigative Response,” which involves a more forensic approach, the Alternative Response for these families emphasizes the completion of an assessment to determine the needs of the family and children and to link families with the services necessary to strengthen and preserve the family unit. In May 2012, Governor Martin O’Malley approved the passage of House Bill 834, Child Abuse and Neglect-Alternative Response, and authorized the Secretary of Human Resources to establish a dual track response to referrals of abuse or neglect -- the traditional Investigative Response and, for certain reports, a new Alternative Response.

This law required the Department to convene an Alternative Response Council to plan for the creation of a dual track system for responding to allegations accepted for a CPS response. One of the first recommendations made by the Council and accepted by the Secretary was to phase in implementation of the dual path system over a year beginning July 1, 2013. Phase I jurisdictions (Garrett, Allegany, Washington, Frederick, and Montgomery County) went live on July 1, 2013. Phase II jurisdictions (Howard, Baltimore, Carroll, Harford, and Cecil counties) went live on November 1, 2013. Phase III jurisdictions (Anne Arundel, Prince George’s, Calvert, Charles, and St. Mary’s counties) went live January 2014. Phase IV jurisdictions (Kent, Queen Anne’s, Caroline, Talbot, Dorchester, Somerset, Wicomico, and Worcester counties) went live on April 2014 and Phase V (Baltimore City) went live on July 1, 2014. The first version of this policy became effective as each jurisdiction implemented Alternative Response.

OVERVIEW:

How Does Alternative Response Work?

Alternative Response allows CPS to respond to credible reports that a child has been abused or neglected with an approach other than a traditional CPS investigation. However, an Alternative Response may only be considered if the individual suspected of abuse and neglect meets the threshold for Child Protective Services (CPS) intervention. After a case is “screened in,” a supervisor must evaluate the information obtained from the reporting source and determine

whether the case should be assigned for an Investigative Response or for an Alternative Response. Both approaches will address the family's needs and put in place appropriate measures to protect the child. If the Local Department elects an Alternative Response, the agency will not conduct a formal investigation or identify a particular individual as responsible for maltreatment in a central registry file. Instead, after meeting with the family, the caseworker will conduct a full assessment and engage the family in jointly determining what services would benefit the family. This policy guides CPS in making appropriate decisions as to when to forgo an investigation in favor of an Alternative Response based on the type of maltreatment, the level of risk of harm or danger to any child in the home, and the family's history of involvement with the agency.

Screening protocols:

The Screening process has not changed with Alternative Response. A screener uses the Structured Decision Making (SDM) tool and makes a screening recommendation to a supervisor who then makes the final decision as to whether to screen in a report. Once a supervisor has made the decision to screen in a report, the supervisor will determine whether the case should be assigned for an Alternative Response or an Investigative Response. This decision is based upon information obtained from the reporter and any other relevant information in MD CHESSIE, the Maryland Judiciary Case Search, and the Sexual Offender Registry regarding identified adults in the home and individuals suspected of abuse and neglect. Workers and supervisors are not expected to go to other sources to gather additional information to make this pathway decision.

Eligibility for Alternative Response:

All cases that are screened in as meeting CPS criteria may be considered for an Alternative Response except as outlined in the two sections below.

Mandatory Disqualifying Criteria

Cases falling within one or more of the following categories may not be referred for an Alternative Response:

- Sexual abuse
- Abuse or neglect in an out-of-home placement (resource home, Child Placement Agency (CPA), group home)
- Abuse or neglect resulting in death or serious physical or mental injury
 - Serious harm includes but is not limited to any physical or mental injury to a non-ambulatory child of any age; any burn or fracture in a child one year old or less, any bruise on a child under 6 months old; and any child less than one year old with bruising, swelling or redness to the face or to the ear
- Level of case severity/risk is moderate to high
- Report meets criteria for Mental Injury Investigation
- Signs or diagnosis of failure to thrive
- The individual suspected of abuse or neglect has an indicated finding in the previous 3-year-period as documented in agency case record

- The individual suspected of abuse or neglect has had one report assigned to Alternative Response within the prior 12 months
- The individual suspected of abuse or neglect has had two or more reports assigned to Alternative Response within the prior 24 months
- The individual suspected of abuse or neglect is the subject of an active investigation or Alternative Response

Discretionary Disqualifying Factors:

If none of the disqualifying factors listed above are present, the Local Department must consider whether it has other information leading to a conclusion that an Alternative Response would not be the most appropriate intervention to meet the needs of the family or to ensure the safety of the children. The supervisor should take into account the following factors in making this determination, although the mere presence of one of the factors listed below does not rule out assignment for an Alternative Response:

- History of a family's inability or refusal to participate in an Alternative Response assessment including those situations where:
 - Family refuses the worker access to a child
 - Family refuses to discuss allegations
 - Family refuses to cooperate, and risk and safety are a concern
 - Family rejects the services necessary to address immediate safety issues for the child
- Multiple similar reports (within 120 days)
- Allegations that the individual suspected of abuse or neglect is responsible for domestic violence currently occurring in the home
- Criminal history bearing on child safety
- A current expressed threat of serious harm to child
- A need for law enforcement for worker's/child safety
 - Involving law enforcement to conduct a joint response or to address environmental threats that are not specific to the child or family does not preclude the Department from providing an Alternative Response
- A court has ordered an investigation

Reassignment between Pathways:

After initiating an Alternative Response, making contact with the child and family, and gathering information, a worker may find it appropriate for the case to be reassigned to an Investigative Response. Likewise, in the early stages of an Investigative Response, a worker may find it appropriate to have the case reassigned for an Alternative Response. A decision relating to reassignment must be made as soon as the worker becomes aware that reassignment may be appropriate. If a worker recommends reassignment, the worker will contact his or her supervisor promptly to discuss the possible referral for an Investigative Response or Alternative Response. A supervisor must approve all reassignments.

A report assigned for an Alternative Response shall be reassigned for an Investigative Response if it is determined that the case involves one of the mandatory disqualifying factors.

Reassignment between tracks does not “restart” the statutory timeframes for initiating and completing an Alternative Response or an Investigative Response. The date the case was screened in as meeting criteria for a CPS response report continues to be the date triggering time frames.

A reassignment does not require a change in worker assignment.

A report assigned for an Alternative Response may be reassigned for an Investigative Response at any time based upon:

- A reassessment of the report or relevant facts
- A family’s inability or refusal to participate in the Alternative Response assessment, which may include:
 - The family refusing worker access to a child;
 - The family refusing to discuss allegations;
 - The family refusing to cooperate, and risk and safety are a concern; or
 - The family rejecting the services necessary to address immediate safety issues for the child

A report assigned for an Investigative Response may be reassigned for an Alternative Response at any time based on:

- A reassessment of the report or relevant facts that demonstrate that the case meets the criteria for an Alternative Response AND
- A determination that accepted services would address all issues of risk of abuse or neglect and child safety.

If the worker determines in the course of an Investigative Response that there is no credible evidence of child abuse and neglect such that the proper finding is “Ruled Out,” the case should be closed with that finding and not be reassigned for an Alternative Response.

New referral received during an Investigation or Alternative Response

If CPS receives a report concerning an individual suspected of abuse or neglect who is involved in an active Alternative or Investigative Response, the current Alternative Response does not get reassigned to an Investigative Response. The following actions will be taken:

- If there are no new allegations of maltreatment, and the information reported is similar to the information that was already received, the report should be “screened out” as a duplicate report and forwarded to the CPS worker in the active case.
- If the report contains a new allegation, it shall be screened in as an Investigative Response due to the 12-month rule (the individual suspected of child maltreatment has had one or more reports assigned to Alternative Response within the prior 12 months).

- Every effort should be made to assign the new Investigative Response Report to the same CPS worker handling the active Alternative Response Report. The CPS worker will be responsible for closing both the active Alternative Response Report, completing the investigation, and making a finding in the new Investigative Response Report.

CASEWORK PROCESS:

Time Frames:

The required timeframes for Alternative Response mirror those for Investigative Response; initial contact must be made within 24 hours of acceptance for physical abuse and within 5 days for neglect. The entire Alternative Response assessment process may not exceed 60 days. The assigned worker must take all of the following actions within the 24-hour/5-day timeframe:

- See the child subject of the report and the child's parent or primary caregiver (visit should take place in the home whenever possible);
- Solicit parent or primary caregiver's cooperation to interview the child subject of the report separately;
- Attempt to see the other children in the care or custody of the individual suspected of abuse or neglect;
- Complete a Safety Assessment for the child subject of the report and all other children seen during the initial contact;
- Determine safety of other children in the care or custody of the individual suspected of abuse or neglect;
- If a law enforcement agency made the report of abuse or neglect, advise the appropriate law enforcement agency that the report has been assigned for an Alternative Response; and
- Inform the individual suspected of child abuse or neglect of the allegations in a manner consistent with laws protecting the confidentiality rights of the person who made the report.

Assessment Procedure:

An Alternative Response requires a full family assessment, which includes:

- Completion of Safety Assessment
- Completion of Risk Assessment
- Completion of Family Strengths and Needs Assessment (CANS-F) if applicable
- Evaluation of the child's home environment (during home visit)
- Discussion with child's caregiver and family members about their service needs, with a focus on strength building
- Development of a safety plan (as needed) addressing the safety of the child or children in the household and the risk of subsequent abuse or neglect
- Development of a Family Service Plan (as needed) in partnership with the family to link the family to needed services and to ensure the safety of all members of the family unit

The CPS worker should initiate the assessment by contacting the family to set up a home visit within the applicable timeframes. If a home visit cannot be set up within the required timeframes, the worker should explain to the family the requirement to see the child/children within the required timeframe and the agency's preference to speak to the children with the parents present rather than talking to the child/children separately at school or daycare. If the worker is unsuccessful after making every attempt to arrange a mutually agreed upon setting and time to complete the safety assessment within the required timeframes, the worker should explain to the family that he or she will have to interview the non-victim child/children without the family present in order to complete the mandated safety assessment.

The Alternative Response assessment is a collaborative effort that involves the family in all conclusions and recommendations for service provision. Workers shall ensure that parents and children are approached in a non-adversarial manner and allow all family members to participate in the assessment process, as developmentally appropriate. Assessing and ensuring child safety and risk of maltreatment must always be paramount in all interactions with a family during the Alternative Response assessment. The tenets and procedures related to Family Centered Practice are to be applied in work with families receiving an Alternative Response.

Identification and Resolution of Service Needs:

During the course of an Alternative Response, the family or child may require services to address risk or safety. The worker shall:

- Render any appropriate services in the best interests of the child(ren) to address any immediate issues of safety and risk;
- Link the family and child(ren) for additional services if needed;
- Monitor the services being rendered as is necessary to ensure the safety of all children in the household; and
- If the family has a Family Service Plan, amend that plan as necessary as the family progresses
 - The Family Service Plan is a working document. It should be completed with the family using their language and if requested, the family may complete the document themselves. The Family Service Plan can be utilized as a task list and documents work being done with the family.

Completion of Assessment and Case Closure:

An Alternative Response Assessment shall be completed within 60 days after acceptance of the report and submitted to the worker's supervisor for approval.

Within 10 days of completing the Alternative Response Assessment, the Department shall provide a written report to the family members who are participating in the Assessment as to whether and what services are necessary to address both the safety of the child or other children in the household and the risk of subsequent abuse or neglect. The written report should reflect Family Centered Practice and document the family's after-care plan to ensure that the family

clearly understands what they need to continue to do to provide a safe home environment for their child/children after case closure.

If the family requires services beyond the 60-day window, the case should be considered for transfer to In-Home Consolidated Services. If the case does not meet criteria to receive services via In-Home Services, the local department shall make appropriate referrals and linkages to community agencies before closing the case.

The Alternative Response case may be closed any time prior to 60 days if:

- The family declines to accept services and there are no safety issues regarding the children in the home and no grounds to sustain a Child in Need of Assistance petition;
- The family has been linked to appropriate community resources to stabilize the family and does not need ongoing services from the Department; or
- The issues that brought the family to the Department's attention have been resolved, and there is no current need for services.

Transfer to In-Home Consolidated Services:

- If any of the children are “conditionally safe” (per SAFE-C) or the risk assessment indicates moderate-high risk, the case should be transferred to In-Home Consolidated Services for continued service provision.
- A “warm hand off” should occur when an Alternative Response case is transferred to In-Home Consolidated Services and should include the following:
 - A case transfer meeting with the Alternative Response worker or supervisor and the In-Home Consolidated Services worker or supervisor to discuss the case and the plan to proceed with any active Family Service Plan; and
 - A joint home visit by the Alternative Response worker and the In-Home Services Worker to introduce the new worker and discuss the continuity of services notwithstanding the change in workers.

Record Retention:

The local Department shall maintain complete records related to an Alternative Response and services for 3 years after the report was received. If there is no subsequent child welfare involvement during the 3 years, the records will be expunged. If there is subsequent child welfare involvement within the 3 years, the record shall not be expunged.

Release of Information Pertaining to Alternative Response Records

Alternative Response is a CPS intervention, and all Alternative Response records are subject to all laws pertaining to the protection of and/or disclosure of other CPS records. These records may be made available in any subsequent Child in Need of Assistance proceedings to the same extent as investigative records.

The presence of an Alternative Response record shall not be released in response to a 3rd party background request for CPS history.

MD CHESSIE Instructions:

Pathway Determination

After the supervisor approves the report as “screened in”, the CPS response type window will appear. The system will default to CPS-AR unless the worker selects one of the mandatory or discretionary disqualifiers. The radio button will change to CPS-IR if the worker selects one of the options. The grayed-out options are system selected based upon selections made under Structured Decision Making and are not user selected. When worker selects “ok” (with CPS-AR enabled), a popup window will appear to confirm that the worker wants to assign the case to CPS-AR. If the worker responds “no”, the worker will not leave the CPS Response Type screen. If worker responds “yes”, the Assign/Transfer screen will appear, and the case can be assigned to a worker.

CPS Response Type - Referrals (#9318840)

Mandatory Disqualifying Criteria

- Sexual Abuse
- Abuse or neglect that occurs in an out-of-home placement (resource home, Child Placement Agency (CPA), group home)
- Abuse or neglect resulting in death or serious physical or mental injury
- Level of case severity/risk is moderate to high
- Report meets criteria for Mental Injury Investigation
- Signs or diagnosis of failure to thrive
- The individual suspected of child maltreatment has been identified as responsible for abuse or neglect in the previous 3 year period as documented in agency case record
- The individual suspected of abuse or neglect has had one report assigned to Alternative Response within the prior 12 months.
- The individual suspected of abuse or neglect has had two reports assigned to Alternative Response within the prior 24 months.
- An active investigation or alternative response is in progress

Discretionary Disqualifying Factors

- Reported history of a family's inability or refusal to participate in the Alternative Response assessment which may include:
 - Family refuses worker access to a child
 - Family refuses to discuss allegations
 - Family refuses to cooperate and risk and safety are a concern
 - Family rejects the services necessary to address immediate safety issues for the child
- Multiple similar reports (within 120 days)
- Allegations that the maltreater is responsible for domestic violence currently occurring in the home
- Criminal history bearing on child safety
- A current expressed threat of serious harm to child
- A need for law enforcement assistance
- Court ordered investigation

CPS Response Type

CPS-AR CPS-IR

OK **Help**

Service Planning

Workers will have access to Service Agreement and Service Plan forms on the Child Protective Services tree.

CPS Response Reassignment

Worker selects “CPS Response Reassignment” folder in tree to get to screen

Date	Initial CPS Response Type	CPS Response Change	Reason for Change	Approval Date
07/19/2013	CPS-AR	CPS-IR		00/00/0000

Worker selects “new”, the information in the highlighted line will system populate. Worker selects reason for change and adds notes. Worker “saves”, and Approval hyperlink will activate. Worker sends for supervisory approval. Once the supervisor approves, the CPS type will change on the folder, giving the worker access to folders for the new CPS Type. NOTE: After approval, the information in the AR Summary screen and the IR Investigation findings screen will be deleted upon transfer between types. If the case is reassigned back to original response type, the worker will have to fill out the screens again. The maltreatment folder will transfer between CPS types.

Alternative Response Summary Screen

1. Reason for AR referral - brief description of what brought family to DSS attention
2. Children participating - Worker selects children from “select” hyperlink. Must be confirmed as clients, under age 18 and be “participating as child” on demographic screen
3. Individuals Participating - Includes all adults participating in the AR. Must be confirmed as clients
4. If the individual suspected of abuse or neglect is a minor child, do not select participating as a child on the DEMO Screen.
5. Services Interventions - Select hyperlink provides multi select drop down
6. Services Address AR - required if services were provided. Workers must complete the Service Log in MD CHESSIE if there will be “agency provided services” or “referred services”. If no services were provided, enter “no services provided”
7. Issues Requiring further Intervention - Worker entered narrative

8. Recommendations - Worker entered narrative
9. Case Closure – Worker selects radio button. If select “Referred to Community Resources”, worker selects from hyperlink. If select “referred to DSS program”, worker will make selections from radio buttons at bottom left. In Home and Out of Home should rarely be selected together.

Child Protective Services > Mouse, Mickey (AR#2775460) >
Alternative Response Information > Alternative Response Summary

New Save Delete Close

Summary Detail

Case Head: Mouse, Mickey CPS ID: 2775460
AR Assessment Start Date: 07/19/2013 AR Assessment Closure Date: 00/00/0000

Reason for AR Referral: [Edit](#)

Children Participating in Incident [Select](#)

Client ID	Client Name	Cis Client ID
3490921	Minney Mouse	499009949

Individuals Participating in the AR Assessment [Select](#)

Client ID	Client Name	Cis Client ID
3490920	Mickey Mouse	499009948

Child Protective Services > Mouse, Mickey [AR#2775460] >
Alternative Response Information > Alternative Response Summary

New Save Delete Close

Summary Detail

Services and Interventions Provided to the family to mitigate Safety and Risk Issues: [Select](#)

Counseling

How did the services provided address the reason for AR referral? [Edit](#)

dfg

Issues requiring further interventions: [Edit](#)

dfg

Recommendations for the Family: [Edit](#)

dfg

Case Closure Status: Clients referred to community services [Select](#)

In-Home Services
 Out-of-Home Services
 Family Investment Services

Counseling [Select](#)

Alternative Response Summary [Approval](#)

The closing letter and any other documents completed outside of MD CHESSIE must be attached in the file cabinet.

Worker completes Summary and Detail tabs and then submits for supervisory approval. Once supervisor approves, the case is closed, and it is removed from the worker's tree.