



DEPARTMENT OF HEALTH & HUMAN SERVICES

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Administration for Children and Families  
Administration on Children, Youth and Families  
330 C Street, S.W.  
Washington, D.C. 20201

Dr. David Chandler  
Comissioner  
Mississippi Department of Child Protection Services  
660 North State Street  
Jackson, MS 39202

Dear Comissioner Chandler:

This correspondence is a follow-up to discussions between the state of Mississippi and the Children's Bureau (CB) regarding the state's compliance with sections 106(b)(2)(B)(ii) and (iii) of the Child Abuse Prevention and Treatment Act (CAPTA), as amended by the Comprehensive Addiction and Recovery Act of 2016 (CARA). These sections of the law require states receiving the CAPTA State Grant to provide an assurance in the form of a certification by the Governor of the state that the state has in effect and is enforcing a state law, or has in effect and is operating a statewide program, relating to child abuse and neglect that includes:

ii. policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or a Fetal Alcohol Spectrum Disorder, including a requirement that health care providers involved in the delivery or care of such infants notify the child protective services system of the occurrence of such condition of such infants, except that such notification shall not be construed to -

- I. establish a definition under Federal law of what constitutes child abuse or neglect; or
- II. require prosecution for any illegal action;

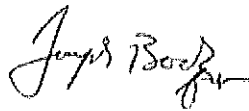
iii. the development of a plan of safe care for the infant born and identified as being affected by substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder to ensure the safety and well-being of such infant following release from the care of healthcare providers, including through -

- I. Addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver; and
- II. The development and implementation by the State of monitoring systems regarding the implementation of such plans to determine whether and in what manner local entities are providing, in accordance with State requirements, referrals to and deliver of appropriate services for the infant and affected family or caregiver.

In order to remain eligible for funding under the CAPTA State Grant, the Mississippi Department of Child Protection Services (MDCPS) had to develop and submit for CB approval a Program Improvement Plan (PIP). The PIP was submitted to the Regional Office (RO) on August 10, 2017 and outlined the specific steps MDCPS will take to come into full compliance by no later June 30, 2018. Failure to come into compliance by that time will result in our withholding Mississippi's funding under the CAPTA State Grant until such time as the State comes into compliance. The RO will monitor the implementation of the State's CAPTA PIP. The state is required to provide the RO with a status report every 90 days.

The CB looks forward to working with you and your staff to address these provisions. Should you have any questions or concerns, please contact Shalonda Cawthon, Regional Program Manager, at 404-562-2242 or by e-mail at [shalonda.cawthon@acf.hhs.gov](mailto:shalonda.cawthon@acf.hhs.gov). You may also contact Antonette Rollins, Children and Families Program Specialist, at 404-562-2833 or by e-mail at [antonette.rollins@acf.hhs.gov](mailto:antonette.rollins@acf.hhs.gov).

Sincerely,



Jerry Milner  
Associate Commissioner  
Children's Bureau

cc: Kristi Plotner, Deputy Commissioner of Administration; MSDCPS; Jackson, MS  
Bonlitha Windham, Director of Prevention and In-Home Services, MSDCPS; Jackson, MS  
Gail Collins, CB Director, Division of Program Implementation; Washington, DC  
Shalonda Cawthon, CB Child Welfare Regional Program Manager; Region 4  
Antonette Rollins, CB Child Welfare Program Specialist; Region 4