

**Mississippi Department of Child Protection Services (MDCPS)  
Child Abuse and Prevention and Treatment Act (CAPTA)/  
Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424)  
Program Improvement Plan (PIP)**

**State/Territory:** Mississippi

**Date Submitted:** July 1, 2019

**Date Resubmitted:** N/A

**Date Approved:**

**PIP Effective Date:**

**End of PIP Implementation Period:** June 30, 2020

**End of Non-Overlapping Year:** June 30, 2020

**Reporting Schedule and Format:** 90 day progress reports

**PIP: Goal, Strategies, Action Steps, Updates**

**Goal:**

**Goal 1: Implement the CAPTA/Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424) requirements within the Mississippi statute**

**Strategies:**

**Strategy 1:**

*Engage/Educate/Bring Awareness to the State Legislature about the changes to Public Law 115-424*

**Action Steps:**

- a. Draft proposed revisions to Miss. Code Ann. § 43-21-355 to include legal immunity for professionals who are called upon to consult in a child abuse case or provide medical diagnosis in good faith reports of child abuse and neglect
- b. Submit requirements of P.L. 115-424 and proposed statutory changes prior to the 2020 Regular Legislative Session
- c. Post related information on MDCPS public website
- d. Post related information on MDCPS internal
- e. Obtain Governor's signature on required CAPTA Assurance
- f. Submit revised statute and Governor's Assurance to Children's Bureau

Action Steps	Target Completion Date	Most Recent Status (current report date)	Most Recent Progress	Prior Report Status (prior report date)	Prior Progress
Draft proposed revisions to Miss. Code Ann. § 43-21-355 to include legal immunity for professionals who are called upon to consult in a child abuse case or provide medical diagnosis in good faith reports of child abuse and neglect	09/15/19	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	<p>Any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, school attendance officer, public school district employee, nonpublic school employee, licensed professional counselor or any other person participating in the making of a required report pursuant to Section 43-21-353 or participating in the judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person or institution reporting in good faith, <b>or who otherwise provide information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect</b> shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.</p> <p>Miss. Code. Ann. § 43-21-355 (Draft)</p>	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	
Submit requirements of P.L. 115-424 and proposed statutory changes prior to the 2020 Regular Legislative Session	01/07/2020	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	The 2020 Regular Session of the Mississippi Legislature convenes at 12:00 Noon on Tuesday, January 7, 2020.	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	
Post related information on MDCPS public website	05/15/2020	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule	<p>Upon passage, MDCPS will post the revised statute to its public website by the conclusion of the 2020 Regular Legislative Session. MDCPS has all relevant and current federal reports, state plans, and PIPs posted to the agency's website.</p> <p><a href="https://www.mdcps.ms.gov/reports/">https://www.mdcps.ms.gov/reports/</a></p>	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule	

		<input type="checkbox"/> No longer applicable		<input type="checkbox"/> No longer applicable	
Post related information on MDCPS internal website	05/15/2020	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable		<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	
Obtain Governor's signature on required CAPTA Assurance	05/30/2020	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable		<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	
Submit revised statute and Governor's Assurance to Children's Bureau.	06/30/2020	<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable		<input type="checkbox"/> Completed MM/YYYY <input type="checkbox"/> On/ahead of schedule <input type="checkbox"/> Behind schedule <input type="checkbox"/> No longer applicable	

### **Additional CAPTA Updates:**

The state is aware that on January 7, 2019, the President signed the Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424), which includes an amendment to CAPTA. This amendment expands the scope of the assurance found at section 106(b)(2)(B)(vii) of CAPTA related to legal immunity for good faith reports of child abuse and neglect, to include professionals who are called upon to consult in a child abuse case or provide a medical diagnosis. However, MDCPS did not have the opportunity to present this new legislation during the State's 2019 Regular Legislative Session. This legislation will be submitted during the 2020 Regular Legislative Session.

The proposed language change would state the following: "Any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, school attendance officer, public school district employee, nonpublic school employee, licensed professional counselor or any other person participating in the making of a required report pursuant to Section 43-21-353 or participating in the judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person or institution reporting in good faith, or who otherwise provide information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed."

We look forward to receiving feedback about our progress toward CAPTA/Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424) compliance. Should you have any questions or concerns, please contact Taylor Cheeseman, Chief of Staff at 601-359-2090 or [taylor.cheeseman@mdcps.ms.gov](mailto:taylor.cheeseman@mdcps.ms.gov).

Sincerely,

Jess H. Dickinson, Commissioner  
Mississippi Department of Child Protection Services