



Guidance on the ILP OCS MOA: CAPTA Implementation & Best Practices

Introduction

State MOA

In October 2024, a Memorandum of Agreement (MOA) between Senior and Disabilities Services' Infant Learning Program (ILP) and the Office of Children's Services (OCS) was completed at the state level. This document is meant to guide ILP programs to a better understanding of what this MOA means for your everyday work regarding the **Child Abuse Prevention and Treatment Act (CAPTA)**.

Local MOA

Each ILP program must additionally have a regional ILP/OCS MOA to clarify and understand local ILP/OCS processes and develop partnerships. Meeting together regularly will ensure new staff are trained and informed about any unique processes in your region.

CAPTA and Early Intervention

The key Federal legislation addressing child abuse and neglect is the **Child Abuse Prevention and Treatment Act (CAPTA), U.S.C. Title 42 Chapter 67**, originally enacted in 1974 and last reauthorized in 2019. There is significant overlap in the population of young children with substantiated cases of abuse or neglect and those who experience developmental delays.

In recognition of this connection, CAPTA requires child welfare professionals to refer potentially eligible infants and toddlers to Part C early intervention, who are:

- (a) The subject of a substantiated case of child abuse or neglect; or
- (b) Identified as directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure.

CAPTA does not require referrals when the child is placed in OCS custody. ILP receives many referrals where abuse/neglect are substantiated, and OCS does not take custody of the child, closes the case, and the child remains living with their parent(s).

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Referrals

What happens once the ILP Database receives a CAPTA referral?

A new child record will be created in the ILP database based on the information in Section 6: Referral Process of the MOA. The child record will be assigned to the regional ILP program that matches the address of the contact person. If no contact address is given, then the referral is considered invalid and not assigned to any program. If the ILP Database already has a child with the same name a match will be found and the CAPTA note will be entered into the existing case. Demographic information will be automatically entered into the Child tab. A referral will be entered into the Ref/Screen tab. And a note with all other information will be entered into the Note tab.

If the database accidentally creates a duplicate child record, please contact your program's Technical Assistant for deletion.

Why does the MOA only mention automatic CAPTA referrals? What about paper referrals?

The MOA does not mandate OCS staff to provide paper referrals. However, there is a link to the [State ILP Referral Form](#) in the MOA. The State ILP website is accessible on the [OCS website](#). OCS management is committed to training staff on ILP services and the referral process.

So no children with substantiated cases are missed, the MOA outlines the process for OCS's database, ORCA (Online Resource for Children of Alaska), to send automatic referrals as soon as a child's case is substantiated and approved by an OCS supervisor.

Out of home placements receive the electronic placement packet, including a brochure for ILP, which encourages foster parents and relative providers to submit referrals as soon as they have any developmental concerns for a child age birth to three.

We encourage each ILP program to develop local ILP/OCS MOA's to help train staff on how to make referrals outside the automated process and collaborate with local OCS staff on providing services to families involved with the child welfare system.

What age are referrals sent from OCS to ILP?

OCS will automatically send referrals for children ages birth to 34.5 months who have a substantiated maltreatment finding.

When does OCS refer children to ILP?

OCS initial assessments (investigations) are to be completed within 30-days and closed through the supervisory review process within 45-days from the date of intake. **If a case is substantiated, the child's information is sent to ILP through the automated CAPTA process.** OCS recognizes that this timeline is not always met.

When does OCS substantiate?

Children are not referred when OCS takes custody. ILP receives many referrals where abuse/neglect are substantiated but, OCS does not take custody of the child and closes the case.

Per Alaska state law, OCS is required to investigate reports of child abuse or neglect. After investigating, OCS updates the ORCA database to reflect the maltreatment finding(s). The following are the types of findings: substantiated, not substantiated, and closed without finding.

It is important for ILP staff to understand what a substantiated case of child abuse or neglect is because this finding triggers an automatic CAPTA referral.

- **A substantiated finding** is one where the investigation indicates that more likely than not, a child has been subjected to maltreatment under circumstances that indicate the child's health or welfare is harmed or threatened. See AS 47.17.290(3) and (9) and AS 47.10.011. A child's welfare is always threatened by sexual abuse and by abandonment. Where physical abuse of a child is alleged, OCS will consider whether the acts constitute either of the following:
 - Reasonable Parental Discipline; or
 - Protection of self from imminent physical harm.
- **A not substantiated finding** is one where the available facts gathered from the investigation indicate more likely than not, a child has not been subjected to maltreatment.
- **A closed without finding** is one where the family cannot be located, a child's safety, well-being, and functioning cannot be assessed, or the Tribe has exclusive Jurisdiction of the case. Prior to closing a case without a finding, efforts must be made to locate the family and interview the alleged victim.

Why am I receiving a CAPTA referral for a closed OCS case?

ORCA sends automatic referrals to the ILP database when a child's case is [substantiated](#) for child abuse or neglect. However, family circumstances may no longer be placing a child at high risk of further harm, so the case is closed. Closed OCS cases are still actionable referrals that ILP programs must follow up on.

Why are some OCS workers unaware of CAPTA Referrals?

The MOA outlines the process for automatic CAPTA referrals. If the OCS caseworker is new to the field or not yet fully trained, they may not be aware that a child on their caseload had an automatic referral sent. We encourage you to help educate new local OCS staff by explaining the ILP program to them and the automated CAPTA referral process.

Understanding CAPTA Notes

The automatic referral from OCS provides information in the notes tab of the child's record in the ILP Database. Referral information includes the child's primary caregiver's name and contact information, caseworker's name and contact information, and important dates related to their OCS case.

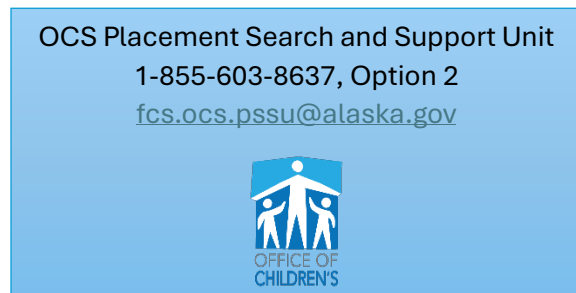
What's the timeframe for, and methods for, contacting the family?

Per the MOA, ILP staff should attempt to contact the family within seven business days to schedule a screening or evaluation. ILP staff should make at least three attempts to contact the family. Best practice is to try making at least two phone calls and sending one letter to vary the types of communication methods over several weeks, up to a month.

You can identify who the contact is in the section [Who is the child living with? \(Placement\)](#)

Contacting the OCS worker does not meet the requirement to contact the family in seven business days.

There may be times where family contact information is missing from the CAPTA note. You should contact OCS's Placement, Search, and Support Unit (PSSU) for assistance to meet your contact requirements:



Who is the child living with and how to contact them? (Placement)

You can find out the child's placement (where the child is living) by going to the ILP Database in the child's note tab. Within the referral note the "Contact" address and phone number belongs to the person listed in the "Contact Role." There are three Contact Roles:

- Parent – The child is currently placed with parent
- Placement – The child is currently placed with a relative or licensed foster family.
- Trial Home Visit – The OCS case is still open, but the child is currently living with the parent. Contact information is parent.

The following are examples of each of these placement types:

- Child **is not** in OCS custody and is living with their parent:

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO:
PLACED - **NO**,-----CONTACT ROLE - **PARENT**,-----

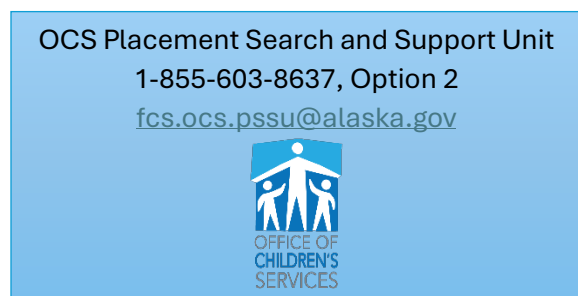
- Child **is** in OCS custody and was placed with either a relative or a foster parent on 12/6/24.

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO:
PLACED - **12/06/24**,-----CONTACT ROLE - **PLACEMENT**,-----

- Child **is** in OCS custody and is living with their parent:

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO:
PLACED - **NO**,-----CONTACT ROLE - **TRIAL HOME VISIT**,-----

If the phone number and address information provided in the note are not updated, contact the OCS PSSU for updated phone number, physical address, mailing address and email address.



What do the different dates mean?

By the time a CAPTA referral is issued, a family may have been working with OCS for an extended period of time. A CAPTA note provides this information.

- The **Report Date** is the date OCS received the initial report of harm.
- The **Substantiation Date** is the date OCS completes its investigation.
- The **Placed Date** is the date the child was placed outside the home.

In the example CAPTA note below, OCS received the initial report of harm on 11/13/24. They completed their initial assessment and substantiated for maltreatment on 12/31/24. The ILP Database received the CAPTA automated referral the following day on 1/1/25. The placement date of 'NO' and the contact role of 'Parent' indicate that the child was not placed outside the home. A 'No' in placement date is not an indication of a missing date.

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO: PLACED - NO,-----CONTACT ROLE - PARENT,-----CONTACT - Doe, Jane, 9075001000, 123 Any Street , Juneau AK, 99801,-----WORKER CONTACT: ,-----WORKER PHONE: ,-----ID_PRSN - 123456,-----Report Date - 11/13/24,-----Substantiation Date - 12/31/24

What is the child's OCS Person ID number?

When calling OCS, it is helpful to give them the child's Person ID number found in the CAPTA note. Young infants may not have a name yet, a child's name may be changed, or a child may be in multiple OCS cases. However, the child's Person ID number stays the same and is the fastest way for OCS to look up the child's information.

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO: PLACED - NO,-----CONTACT ROLE - PARENT,-----CONTACT - Doe, Jane, 9075001000, 123 Any Street , Juneau AK, 99801,-----WORKER CONTACT: ,-----WORKER PHONE: ,-----ID_PRSN - 123456,-----Report Date - 11/13/24,-----Substantiation Date - 12/31/24

Why is the CAPTA note missing OCS Caseworker information?

It is common for the "Worker Contact" and "Worker Phone" to be blank. This often occurs when the placement of the child is with the parent.

In this example, the child does not have a placement date, and the “Contact Role” is their parent. The Worker Contact name and Phone number is intentionally blank because the case is now closed.

1/1/25: CAPTA report of harm substantiated (automated)-----CPS INFO: PLACED
- NO,-----CONTACT ROLE - PARENT,-----CONTACT – Doe, Jane, 9075001000,
123 Any Street , Juneau AK, 99801,-----WORKER CONTACT: ,-----WORKER
PHONE: ,-----ID_PRSN - 123456,-----Report Date - 11/13/24,-----
Substantiation Date - 12/31/24

When should I choose the disposition of “Lost To Follow-Up?”

Three attempts should be made to reach the child’s family. If you do not think you have the correct contact information, reach out to OCS PSSU. Best practice is least two phone calls, and one letter. Best practice is least two phone calls, and one letter over several weeks, up to a month. If the family does not respond after three attempts, you can choose the disposition of Lost To Follow-Up.

How long should a referral be Pended?

Families who express interest in enrollment but request a follow up at a later time can be placed in Pended status for up to three months. The referral should be reviewed if the request extends beyond a quarter. The child can be re-referred when the family is ready to participate in the program.

ILP programs should develop a procedure for using a Pended status so there are consistent follow up schedules with the families

When should I choose the disposition of Declined?

You must speak to the child’s family directly before choosing this disposition and they must decline further ILP services. If you cannot reach the family and have not spoken to them directly, choose the disposition of Lost To Follow-Up.

Do I need to follow up with OCS on the referral?

Yes. ILP must provide feedback to the OCS caseworker on the outcome of the referral. This follow up should be an email to the OCS caseworker that includes whether contact was made with the family, screening/evaluation results, and if services will be delivered.

Forms

Do I need an ROI to contact the family?

No. The MOA recognizes that the automated CAPTA referral process will result in ILP immediately contacting the child’s parent or placement. No local ILP forms need to be signed by OCS staff to make contact. If the child is living with the foster parent, then they are considered, for the purposes of ILP, the parent.

How do I know who should sign a form? (OCS, biological parent, foster parent)

Legal authority to sign forms can be complex. Best practice is to first determine if the child is in OCS custody. If the child is not in OCS custody the bio parents have the authority to sign all forms.

ILP forms list for CAPTA Referrals

Type of Form	Form Name	Signer if OCS has custody and parental rights are intact	Signer if OCS has custody and parental rights are terminated	Where is the form mentioned in the MOA
Medical	ROI	OCS	OCS	Referral Process
Medical, Financial	Consent to Bill	OCS	OCS	Referral Process
Educational	Consent for Evaluation and/or Assessment	Biological parent, unless the biological parent is unavailable or chooses not to participate. Then a person who meets the IDEA definition of "parent" can sign. If there is no one who meets the IDEA definition of "parent," a surrogate parent must be assigned and can sign.	Caregiver who meets IDEA definition of "parent"	Referral Process
	Consent to Screen		OR	
	Prior Written Notice		Surrogate parent.	Ongoing Services
	IFSP		(Per 4 AAC 52.600(d) A surrogate parent is not needed if the child is in foster care and the foster parent is able and willing to serve as the parent of the child for purposes of special education.)	Ongoing Services
	Declining one or more services			Transition Plan
	LEA Notification Opt Out Form			

What is needed to order medical records for a child in OCS custody?

Medical facilities require a signed ROI to release records. Additionally, some medical facilities may also request a copy of the custody order to release records. You will need to work with the assigned case worker to obtain a copy of the custody order. If you are having trouble reaching the assigned case worker, contact the PSSU for assistance. Please note that there can be significant delays in the court system in processing custody orders.

What should I do if a child has or will be moving regions?

It is common for children to move around the state. The original ILP program that received the CAPTA referral must transfer the child (enrolled or unenrolled) in the ILP Database to the ILP program that serves the child's new community. You can contact your state technical assistant for locating the appropriate regional program and their contact information. Successful transfers require communication between programs. You can use the Transfer Checklist for additional guidance.

Transferring programs should not choose the disposition of Lost or Declined. OCS will not send a new referral to the receiving ILP program.

If you are having trouble getting a new address for the child, please reach out to the PSSU:

OCS Placement Search and Support Unit
1-855-603-8637, Option 2
fcs.ocs.pssu@alaska.gov



How do I find contact information for OCS regional offices?

OCS maintains their local office contact information here: [OCS Regional Offices](#)

How can I find contact information or get forms signed for a child when the OCS caseworker is not identified or not returning my calls?

Increased workforce retention remains one of OCS' most significant challenges and commitments. Individual OCS staff face high caseloads and high demands on their time, so OCS developed the centralized Placement Search and Support Unit (PSSU). This 6-person team provides robust customer service and support for foster parents, relative placements, and community providers like ILP, around the state.

OCS Placement Search and Support Unit
1-855-603-8637, Option 2
fcs.ocs.pssu@alaska.gov



The MOA identifies the PSSU as the OCS staff who will:

- confirm custody status,
- provide any missing contact information,
- sign ROI and Consent to Bill forms (if OCS is the legal guardian), and
- assist with facilitating communication with the assigned caseworker if they cannot be reached.

Please have [the OCS Person ID Number](#) identified in the CAPTA referral when calling.

1/1/25: CAPTA report of harm substantiated (automated)-----
-CPS INFO: PLACED - NO,-----CONTACT ROLE - PARENT,-----
---CONTACT - Doe, Jane, 9075001000, 123 Any Street , Juneau
AK, 99801,-----WORKER CONTACT: ,-----WORKER
PHONE: ,-----ID_PRSN - 123456,-----Report Date -
11/13/24,-----Substantiation Date - 12/31/24

Screenings, Evaluations, and Transitions

When would you offer a screening?

ILP programs may offer a developmental screening prior to the developmental evaluation. This can be appropriate when there are no specific developmental concerns identified by the family or providers. It can also be a helpful step when the family is reluctant to schedule a full developmental evaluation. The screening can be done in-person, on paper, or online. Screenings can be more family-friendly and can introduce a family to ILP with less pressure. It may be useful in scenarios where a child is approaching transition age and there is limited time to work on referral to the local special education program. While we can offer screenings as an alternative, a family always has the right to a full developmental evaluation. It is important to remember that the 45 day timeline is still moving forward if you utilize screening as a part of your intake process.

What should I do if the child qualifies for services, but the family declines ILP services?

ILP will inform OCS whether the parent of an eligible child decides to enroll in services, decline services, or if contact with the family is lost. Per the MOA, foster families and relative caregivers may not decline medically necessary services such as ILP when OCS has custody. If a parent does decline services, ILP should contact OCS and allow OCS to follow up with the parent if they determine that the services are medically necessary.

What if a family enrolls and then doesn't follow up with keeping appointments?

ILP should contact the OCS caseworker to discuss the expectations for family participation as well as confirm current placement and contact information. Follow your program procedures for exiting families not actively participating in services. Prior written notice is required for all exiting families. Best practice is to remind OCS and families that they can re-refer their child at any time.

Should OCS attend evaluations, IFSP meetings, and 90-day transition meetings?

OCS will attend the initial IFSP meeting and subsequent renewal meetings, when possible. These meetings should not be postponed if the OCS worker cannot attend. OCS is not required to attend evaluations and 90-day transition meetings, but it is best practice to issue invites to caseworkers.