 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		65
Chapter:	Intake and Assessment	
Subject:	Drug Testing During Investigations	Page 1 of 5
Approved:	Cynthia K. Walcott, Deputy Commissioner	Effect: Interim 8/23/07
Supersedes:		Date:

Purpose

To outline policy for drug testing of parent(s) and/or caretaker(s) for substance use/abuse during a DCF Family Services investigation. To assist in the investigation, planning and case determination by identifying and providing for the needs of parent(s), caretaker(s) and children through:

- The screening and assessment of parent(s) and/or caretaker(s) for substance use/abuse
- Referral of parent(s) and/or caretaker(s) to appropriate intervention and treatment services
- Provision of a level of intervention consistent with the assessment of substance use

Please note, drug testing in DCF Family Services cases that are not in the investigation phase should occur as part of a treatment plan outlined after an assessment process. This treatment plan should be incorporated into the family’s DCF case plan and disposition plan (if the court is involved). This policy does not apply to drug testing in non– investigation cases. This policy does not apply to foster parents. In cases that involve foster parents, the Residential Licensing Unit must be contacted.

Policy

Social workers may identify concerns about parental or caregiver substance use/abuse during a Family Services intake or investigation. If, after a discussion between social worker and supervisor, it is determined that any screening, drug testing and/or assessment is necessary, trained staff must administer appropriate tools. Training for the administration of drug testing is dependent upon the recommendations of the manufacturer of the supplies. Workers must complete the recommended training prior to administering drug tests.

Definitions

Chapter:	Intake and Assessment	
Subject:	Drug Testing During Investigations	Page 2 of 5
Approved:	Cynthia K. Walcott, Deputy Commissioner	Effect: Interim 8/23/07
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Drug Testing: a laboratory test, onsite instrument, or non-instrument-based device such as a swab that tests bodily fluids such as saliva, urine, breath or hair, for traces of drugs or alcohol.

Chapter: Intake and Assessment

Subject: Drug Testing During Investigations

Page 3 of 5

Screening: a process in which clients are identified according to characteristics that indicate that they are possibly abusing substances. Screening identifies the need for a more in depth assessment and is not a substitute for an in depth assessment. Screening can include a brief drug or alcohol questionnaire or some other tool or process designed to determine if a substance abuse issue that requires further assessment may be present. All screening instruments selected must be validated and standardized.

Assessment: those procedures by which a counselor/program identifies and evaluates an individual's strengths, weaknesses, problems and needs in order to develop a diagnostic evaluation of the client's substance abuse and any co-existing conditions with the goal of providing an integrated approach to treatment planning. This should be driven by ASAM (American Society of Addiction Medicine) criteria for diagnostic consistency.


When to Consider Drug Testing

Social workers should consider screening and drug testing together and further assessment if information gathered indicates one or more of the following:

- The reporter has observed, or a professional reports, that a parent or caretaker (1) has a current pattern of use of illegal substances or misuse of prescription drugs and the child lacks age-appropriate supervision as a result; or (2) is regularly impaired by use of alcohol and the child lacks age-appropriate supervision as a result.
- The parent denies and/or minimizes the issue of substance use/abuse. The parent or caretaker admits to use of a particular substance (an example is marijuana) while denying use of another substance (an example is cocaine).
- DCF Family Services social worker's observation of parental and/or caretaker(s) incapacitation recorded in the case record, police reports, physician reports or treatment notes.
- Affidavits or other court documents stating that alcohol and or drugs contributed to the behavior that led to DCF Family Services investigation. These documents do not have to be directly connected to the event. Rather, the totality of the information and its relevance should be considered by the social worker and supervisor.
- Drug testing for substances is not always necessary if the parent or caretaker admits to use/abuse of substances. However, referral to assessment and treatment services may be appropriate.

Consent for Screening and Testing and Releasing Results

- Federal and State law prohibit the release of drug testing results from a testing or treatment facility to anyone without a release.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		65
Chapter:	Intake and Assessment	
Subject:	Drug Testing During Investigations	Page 4 of 5

- The parent(s) and/or caretaker(s) must consent prior to drug testing. This consent is documented on the Consent for Drug Testing and Record of Drug Testing Results form (FS 300).
- When drug testing takes place at a testing and or treatment facility, whenever possible, DCF Family Services should complete the release when the parent(s) and/or caretaker(s) is referred in order to ensure that DCF Family Services is named in the release and can therefore be notified of the results of a screening drug test and/or assessment.
- When drug testing takes place at a Family Services location, the Consent for Drug Testing and Record of Drug Testing Results must be signed by the parent(s) and/or caretaker(s).
- If the drug testing is conducted by a Family Services employee, only saliva tests will be utilized.

Refusal to Consent to Screen, Tests or Assessments or to Release Results

If a parent(s) and/or caretaker (s) refuses to sign the Consent for Drug Testing and Record of Drug Testing Results, Family Services will not administer the test.


During an investigation, the parent(s) and/or caretaker(s) are under no obligation to consent to drug testing or to release the results. If the parent(s) and/or caretaker(s) refuse to participate in this process, Family Services may not automatically assume that the results would have been positive.

The social worker and supervisor will consider the refusal decision as part of the overall evaluation of on-going risk and will make a case determination decision based on the totality of the evidence collected during the investigation process (see Policy No. 55 Risk of Harm and Policy No. 56 Substantiating Child Abuse and Neglect).

Use of Results

Screening and drug testing for substance use, regardless of the results, requires a response from the social worker.

For example, positive results may be a signal that further assessment is necessary. Negative results could mean that further Family Services investigation and intervention may not be warranted.

 VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		65
Chapter:	Intake and Assessment	
Subject:	Drug Testing During Investigations	Page 5 of 5

Positive results of substance use/abuse screens, drug tests or assessments should be used to develop an appropriate plan of intervention. They should be treatment focused and should not be punitive in nature. The plan should consider:

- The safety of the children;
- supports that can be implemented or that currently exist that can minimize risk associated with substance use/abuse;
- appropriate and available treatment; and
- a plan for future testing or further assessment as needed.

Family Services investigates due to concerns about parental substance use/abuse when there is information that the child is at significant risk of serious physical injury as a result of the use/abuse. There are times when a parent may test positive for substances during the course an investigation. A positive test result does not mean an automatic substantiation. Substantiation decisions should be made in accordance with Policy 55 Risk of Harm and Policy 56 Substantiating Child Abuse and Neglect.

The Consent for Drug Testing and Record of Drug Testing Results will be filed in the investigation file.