

**MEMORANDUM OF AGREEMENT**  
**between**  
**The Utah Division of Child and Family Services in**  
**the Utah Department of Human Services**  
**and**  
**The Baby Watch Early Intervention Program in the Utah Department of Health**

**I. Purpose**

1. WHEREAS, the Division of Child and Family Services (DCFS), Utah's designated child welfare agency, and;
2. WHEREAS, the Baby Watch Early Intervention Program (BWEIP) is the designated lead agency in Utah for development and implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system that provides services to children 0 – 3 with disabilities and their families under the Individuals with Disabilities Education Act (IDEA), Part C. and;
3. WHEREAS, the reauthorization in 2010 of the federal Child Abuse Prevention and Treatment Act (CAPTA) requires that the State has provisions and procedures for referral of a child under age 3 who is involved in a substantiated case of child abuse or neglect to early intervention services under Part C of the Individuals with Disabilities Education Act, and;
4. WHEREAS, IDEA requires that the Baby Watch Early Intervention Program include a description of the State policies and procedures that require the referral to early intervention services under this part of a child under the age of 3 who is involved in a supported case of child abuse or neglect, and;
5. WHEREAS, the parties wish to
  - i. Strengthen DCFS-BWEIP collaboration in order to integrate and optimize services and avoid duplication and;
  - ii. Clarify the roles and responsibilities of each agency as regards the processes for the referral of children under the age of three to the BWEIP who are involved in supported cases of child abuse or neglect; and,
  - iii. Create a statewide system for making referrals to the appropriate Baby Watch Early Intervention program located in the area where the child and family reside.

THEREFORE, the parties agree as follows:

**II. Roles and Responsibilities of the Division of Child and Family Services**

1. DCFS shall provide a Baby Watch Early Intervention brochure, which includes program contact information, to every family with a child age three or younger that is investigated for a case of child abuse or neglect.
2. DCFS shall refer any child age birth to 34½ months, for whom abuse or neglect has been substantiated, to the local BWEIP. The word "supported" is used by DCFS to refer to substantiated cases.
3. The DCFS child protective services (CPS) will electronically transmit a referral to the local Baby Watch Early Intervention Program in the area where the child and family

resides. The referral will include child's name, date of birth, and the family's contact information.

4. DCFS regional offices, in coordination with BWEIP local programs, will provide initial and ongoing training to CPS caseworkers and other agency staff regarding CAPTA requirements, how to make a referral to the local early intervention program, and the early intervention process for determining eligibility and appropriate services.

### **III. Roles and Responsibilities of the Baby Watch Early Intervention Program**

1. The BWEIP will supply current BWEIP brochures to DCFS for distribution to families with a child age 3 or less during investigations for cases of child abuse and neglect.
2. The local BWEIP shall accept referrals from DCFS staff for a child age birth to 34.5 months for whom a case of abuse or neglect has been supported.
3. The local BWEIP contacts the parent to determine if the parent wants to proceed with the referral to the early intervention program for their child. The parent may decline to accept the referral.
4. Early local BWEIP program will log referrals from DCFS and subsequent activity for that child into the BWEIP information management system – the Baby and Toddler Online Tracking System (BTOTS)
5. The early intervention program will complete a timely, comprehensive, multidisciplinary evaluation of the child to determine eligibility for the program.
6. The BWEIP will maintain a current list of local Baby Watch Early Intervention Programs and contact information for DCFS.

### **IV. Roles and Responsibilities Regarding Information Management**

1. DCFS will log early intervention referral information in the DCFS SAFE information management system.
2. Local early intervention programs will log referrals from DCFS and subsequent activity for that child into the BWEIP information management system.
3. DCFS and the BWEIP will collaborate to compile and analyze an annual count of children referred by DCFS to the BWEIP, including a disposition of those cases.

### **V. Dispute Resolution:**

If a dispute arises at any point during the collaborative activities described by this Memorandum of Agreement, either party may schedule a conference to resolve the issue. Resolution will be sought through open communication and dialogue among the parties involved. If agreement is not reached, respective agency liaisons at the state level will be brought into the process to resolve issues and achieve agreement.

### **VI. Periodic Review**

This memorandum will remain in effect until modified or terminated. This agreement shall be subject to periodic review by a joint committee designated by and representing DCFS and the BWEIP. Changes will be made to keep the Memorandum current and to guarantee

that the respective responsibilities of the agencies are fulfilled in the most expeditious manner. Such reviews will occur as needed, and may be convened by either agency at any time to meet changing needs and/or special situations.

DEPARTMENT OF HUMAN SERVICES

DEPARTMENT OF HEALTH

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Palmer Depaulis, Director  
Department of Human Services

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Date

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Shari A. Watkins, C.P.A., Director  
Office of Fiscal Operations

\_\_\_\_\_  
Date

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