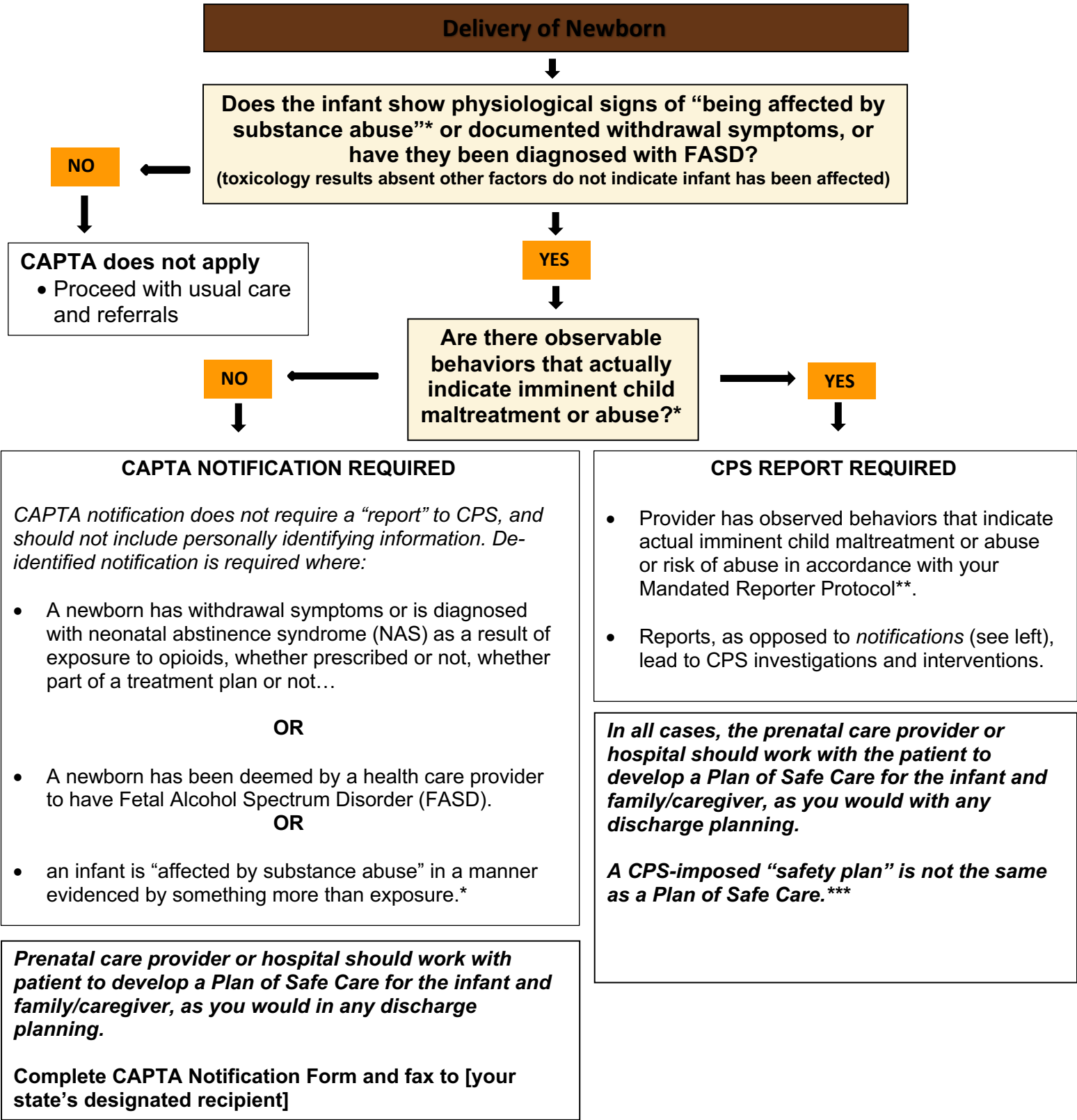


## Child Abuse Prevention and Treatment Act (CAPTA) Requirements Related to Newborns “Affected By Substance Abuse”\*

CAPTA is designed to track needs and facilitate provision of supports to families who need it. That is distinct from CPS reports, which instigate investigation, intervention, and potential separation of parents and newborns, and is designed to prevent abuse, not provide support.



\*CAPTA uses the term “affected by substance abuse” but fails to define it. There is no list of identifiable physiological effects known to be caused by prenatal substance exposure to federally scheduled drugs other than withdrawal. A positive toxicology does not, and cannot, distinguish between substance use and drug dependency or drug dependency problems or provide any indication of parenting ability.

\*\*Mandated reporting has never been shown to reduce the incidence of child abuse and has in fact been shown to increase harm to children and to families. See Harm Reduction Coalition and Academy of Perinatal Harm Reduction’s “Pregnancy and Substance Use: A Harm Reduction Toolkit” for how to reduce harm in your practice.

\*\*\*For more information about the actual impacts of CPS on families, see Movement for Family Power’s report, “Whatever they do, I’m her comfort, I’m her protector: How the foster system has become ground zero for the U.S. Drug War.” [bit.ly/groundzeroreport](https://bit.ly/groundzeroreport)