



Division of Safety and Permanence

DSP Numbered Memo Series 2023-14

June 5, 2023

To: DCF/DMCPS Administrator
DCF Area Administrators
Child Placing Agency Directors
Child Welfare Agency Directors
County Departments of Community Programs Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Private Child Placing Agencies
Residential Care Center Providers
Shelter Care Providers
Tribal Chairpersons

From: Wendy Henderson
Administrator

Re: Title IV-E Plan Amendment: **Missing from Out-of-Home Care Requirements**

PURPOSE

To provide instruction on required actions for Title IV-E agencies resulting from the enactment of the Trafficking Victims Prevention and Protection Reauthorization Act of 2022, [Public Law \(P.L.\) 117-348](#).

BACKGROUND

When a child or youth is missing from out-of-home care they are at heightened vulnerability and risk of being sex trafficked. Current policy requires the agency with placement and care responsibility to notify law enforcement when a child has been missing for eight (8) hours or for a period of time that cannot reasonably be justified by the child’s age, maturity, or emotional capacity, as well as documenting the child’s missing episode in Wisconsin’s electronic statewide automated child welfare information system (eWiSACWIS) within 24 hours.

In May 2023, there were 89 children with a status of missing from care, which requires a report be submitted to the National Center for Missing and Exploited Children (NCMEC), through eWiSACWIS. Of those 89 children whose placement was documented as “missing from care,” only 24 reports were submitted to NCMEC. Five (5) of those 24 reports were submitted within 24 hours. 44 children returned from missing, and one (1) report of recovery was submitted to NCMEC.

The President signed the Trafficking Victims Prevention and Protection Reauthorization Act of 2022 (P.L. 117-348) into law on January 5, 2023. The law reauthorizes and amends the Trafficking Victims Protection Act (TVPA), and amends Title IV-E Plan requirements.





POLICY AND PROCEDURE REQUIREMENTS

A summary of the new policy requirements in P.L. 117-348 are outlined below. The Ongoing Services Standards have been updated to reflect federal documentation and reporting requirements when a child or youth is missing from out-of-home care. An updated version of the Ongoing Services Standards is attached.

In review of the updated federal requirements, most elements are currently reflected in Wisconsin’s Ongoing Services Standards. There are two elements that have been updated in the Ongoing Services Standards to align with federal requirements more clearly. Those items are:

- Maintaining regular communication with law enforcement agencies and NCMEC
- Providing a photo of the missing or abducted child, where reasonably possible, when submitting a missing person’s report to law enforcement and the “Report When a Child or Youth is Missing from Out-of-Home Care” to NCMEC

Please note that eWisACWIS functionality already accommodates the provisions above.

ACTION SUMMARY

Effective immediately, all county agencies and the Division of Milwaukee Child Protective Services are required to comply with all requirements set forth in this memo and the attached policies.

REGIONAL OFFICE CONTACT: DCF Area Administrator

CENTRAL OFFICE CONTACT: Bureau of Permanence and Out-of-Home Care
DCFDSPPGeneralFosterCare@wisconsin.gov

MEMO WEB SITE: <https://dcf.wisconsin.gov/cwportal/policy>

Attachments: Ongoing Services Standards
<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/ongoing-services-standards.pdf>

Public Law 117-348 [PUBL348.PS \(congress.gov\)](https://www.congress.gov/bills/117/348)