

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CHILD CARE FUND REIMBURSEMENT PROGRAM

**PROGRAM INSTRUCTION 2021-001**

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**TO:** Michigan county government and courts  
Tribal governments located within Michigan  
Michigan Department of Health and Human Services county directors

**FROM:** Theodore Jay, Manager  
Federal Compliance Division and Child Welfare Funding  
Office of Child Welfare Services and Support

**SUBJECT:** Substance Use Testing – CCF Eligibility for Alternative Provider


The Children's Services Agency recently updated the attached Communication Issuance 21-047 regarding utilization of Averhealth for drug screens in child welfare cases managed by the MDHHS or a private agency. Costs associated with services rendered through that contract are covered by MDHHS and there is no local cost sharing.

The Social Welfare Act, MCL 400.117a, does consider drug testing a reimbursable expenditure through the Child Care Fund (CCF). If a court chooses to utilize the services of an alternative drug testing vendor, other than the one designated by MDHHS, the CCF offers 50% reimbursement of those expenditures. Reimbursement requests for in-home care case expenditures must be included in the CCF Annual Plan & Budget. Reimbursement requests for alternative drug testing expenditures must be: (1) included in the CCF Annual Plan and Budget for in-home care cases; and (2) added to the Non-Scheduled Payments line item in the 2091 for out-of-home care cases.

**CONTACT INFORMATION:** [MDHHS-CCFMU@michigan.gov](mailto:MDHHS-CCFMU@michigan.gov)

Attachment: ***MDHHS Communication Issuance 21-047***

**Cc:** MDHHS BSC directors  
MDHHS Child Welfare and Juvenile Justice Funding Leadership Council

 <p><b>Children's Services Agency</b></p> <p><b>Communication Issuance</b></p> <p><b>21-047</b></p>	Subject/Title	Utilization of Averhealth as Substance Use Testing Provider
	Type	<input type="checkbox"/> Informational Memorandum <input checked="" type="checkbox"/> Program Instruction <input type="checkbox"/> Policy Guide
	Issuance Date	05/24/2021
	Obsolete Date	N/A
	Contact Name	Mary Lou Mahoney
	Email	<a href="mailto:MahoneyM2@michigan.gov">MahoneyM2@michigan.gov</a>
	Due Date	N/A
Due to	N/A	
Distribution	<input checked="" type="checkbox"/> CSA Central Office Managers/Staff <input checked="" type="checkbox"/> MDHHS BSC and County Directors <input checked="" type="checkbox"/> MDHHS Juvenile Justice Managers/Staff <input checked="" type="checkbox"/> MDHHS Child Welfare Managers/Staff <input checked="" type="checkbox"/> Native American Tribes <input checked="" type="checkbox"/> Office of Workforce Development and Training <input checked="" type="checkbox"/> Private Agency Child Welfare Managers/Staff <input type="checkbox"/> Private Residential Abuse/Neglect Managers/Staff <input type="checkbox"/> Private Residential Juvenile Justice Managers/Staff <input type="checkbox"/> Other:	

In November 2020, the validity of drug testing services completed by the Michigan Department of Health and Human Services (MDHHS) contractor, Averhealth, was called into question. Based on the concerns raised and the requests of courts, MDHHS contracted with Wagner Toxicology Associates for Jarrad Wagner, Ph.D., F-ABFT and Larry Broussard, Ph.D., D-ABCC, to complete a thorough assessment of the Averhealth laboratory in St. Louis, Missouri. This assessment included an audit of laboratory procedures, validation of the testing process, and an assessment to determine if Averhealth was meeting the College of Pathologists – Forensic Drug Testing accreditation standards.

As a result of the assessments conducted at the Averhealth laboratory, the assessors concluded that *the results reported by the laboratory were scientifically sound and forensically defensible in a court of law*. There were no issues noted with the testing process, the validity of the results, or the qualifications of the lab and personnel. Averhealth has taken measures to address recommendations gathered during the assessment process to ensure best practices. In addition to these findings, MDHHS has taken the following steps to ensure consistently reliable substance use testing that meets the needs of the families we serve and to respond promptly to concerns if they arise:

- Ongoing engagement with court partners to gather information relative to court proceedings and testing levels utilized in other facets of the legal system.
- Ongoing communication and coordination with Averhealth to ensure a shared understanding of actions taken and maintained to provide scientifically sound, forensically defensible results.
- Implementation of methods for the field to share case specific testing or results concerns.

**MDHHS staff and private providers should return to full utilization of Averhealth as a testing provider.** If there are questions or exceptional circumstances that prevent utilization of Averhealth, please elevate those circumstances to the Business Service Center (BSC) director for additional assistance.