

5101:2-33-23

Case records for children services.

- (A) The public children services agency (PCSA) shall prepare, maintain, and permanently keep records for all of the following intake categories which the PCSA has received and/or conducted an assessment/investigation:
- (1) Child abuse and/or neglect reports.
 - (2) Dependency reports.
 - (3) Family in need of services reports.
 - (4) Information and/or referral intakes.
- (B) The PCSA shall prepare, maintain and permanently keep records on all cases for which the PCSA provided services beyond assessment/investigation including:
- (1) Voluntary supportive services cases.
 - (2) Court ordered protective supervision cases.
 - (3) Substitute care cases.
 - (4) Adoption cases.
- (C) All case records prepared, maintained, and permanently kept by the PCSA pursuant to paragraphs (A) and (B) of this rule are confidential. Access to PCSA case records and the release of PCSA case record information shall be conducted pursuant to and in accordance with the requirements outlined in rule 5101:2-33-21 of the Administrative Code.
- (D) Each case record prepared, maintained and permanently kept in accordance with paragraphs (A) and (B) of this rule shall contain, but not be limited to, the following information, as applicable:
- (1) Referral information received by the PCSA alleging child abuse, neglect, or dependency that is not determined to be a report pursuant to rule 5101:2-36-01 of the Administrative Code.
 - (2) Referral information received by the PCSA that is categorized and screened as an information and/or referral intake pursuant to rule 5101:2-36-01 of the Administrative Code.

- (3) Documentation that the PCSA has attempted to locate the correct address of the principals of the report, if necessary, and make required face-to-face contacts with the principals of the report as required in rule 5101:2-36-01 of the Administrative Code.
- (4) Justification for all extensions and waivers executed for not completing any information gathering activity as set forth in rule 5101:2-36-11 of the Administrative Code.
- (5) Documentation of the PCSA's request and the corresponding rationale for requesting assistance from law enforcement during the course of the PCSA's assessment/investigation of a family, if applicable.
- (6) Documentation of any involvement the PCSA had with law enforcement regarding missing children, death of a child, third-party investigative procedures, or any other assistance the PCSA requested from law enforcement as stipulated in the county child abuse and neglect memorandum of understanding.
- (7) Copies of all JFS 01401 "Comprehensive Assessment and Planning Model - I.S., Safety Assessment" (rev. 2/2006) and JFS 01400 "Comprehensive Assessment and Planning Model - I.S., Family Assessment" (rev. 7/2006) tools used in assessing/investigating child abuse, neglect, and dependent child reports.
- (8) Copies of all JFS 01401 and 01400 tools used in assessing family in need of services reports, if applicable.
- (9) Copies of all JFS 01409 "Comprehensive Assessment and Planning Model - I.S., Safety Plan for Children" (rev. 7/2006), if applicable.
- (10) Case notes and dictation concerning the activities and statements of persons involved in the case, describing the activity or statement, naming the persons involved, and stating the date of the occurrence. Case notes or dictation shall be prepared at or near the time of the occurrence being recorded and shall be prepared by or under the supervision of the staff member with the most direct knowledge of the occurrence. Opinions of PCSA staff and others included in case notes or dictation shall be identified as such.
- (11) Documentation of verbal, written, or electronic referrals made by the PCSA on behalf of children and families being served by the PCSA, to community service providers, including other public agencies, and private agencies, as

applicable.

- (12) Documentation of the services provided directly by PCSA staff to children and families, including the dates of service.
- (13) Reports from service providers, including but not limited to medical, educational, psychological, diagnostic, and treatment.
- (14) Documentation of referrals and provision of services by the PCSA, county department of job and family services (CDJFS), other public agencies and community service providers, including any oral and/or written reports and the dates when services were delivered.
- (15) Correspondence pertaining to the child and his family or caretaker.
- (16) Written consent of the referent/reporter or any collateral source to release or affirm their identity.
- (17) Copies of written notification to the prosecuting attorney when a mandated referent/reporter fails to make a report of child abuse or neglect, if applicable.
- (18) Documentation and/or copies of all required assessment/investigation notifications and referrals.
- (19) Copies of protective service alerts, interstate protective service referrals, and intrastate protective service referrals.
- (20) Documentation of any assessment/investigation information provided to:
 - (a) A local or regional child fatality review board.
 - (b) A child advocacy center.
 - (c) A community evaluation team.
 - (d) A citizen review board.
- (21) Documentation of all activities performed by the PCSA upon receipt of a report and assessment/investigation alleging a disabled infant with life-threatening conditions is a neglected child as defined in section 2151.03

of the Revised Code due to the withholding of appropriate nutrition, hydration, medication, or medically indicated treatment, if applicable.

- (22) Required notations and copies of any forms for any release of information including written permission from the director or his designee, when information is released as set forth in rule 5101:2-33-21 of the Administrative Code.
 - (23) A copy of all complaints, motions, petitions, pleadings, and other documents submitted to the juvenile court by the PCSA or any other party.
 - (24) A copy of all court orders, findings, written determinations, and journalized entries from the juvenile court.
- (E) Each case record prepared, maintained and permanently kept in accordance with paragraph (B) of this rule shall contain, but not be limited to the following information, as applicable:
- (1) The information outlined in paragraph (D) of this rule.
 - (2) The JFS 01647 "Face Sheet" (rev. 2/2006).
 - (3) Reason and date for case opening.
 - (4) Copies of the JFS 01410 "Comprehensive Assessment and Planning Model - I.S., Case Plan" (rev. 7/2006), and any amendments and attachments to the JFS 01410. Case notes and dictation referred to in paragraph (D) (10) of this rule shall include, but not be limited to, an ongoing description of the specific steps taken to implement the JFS 01410 and of the progress or lack of progress of the parties toward accomplishing the goals of the JFS 01410.
 - (5) Copies of supplemental plans, as applicable.
 - (6) Copies of the JFS 01413 "Comprehensive Assessment and Planning Model -I.S., Case Review" (rev. 2/2006), prepared in accordance with rule 5101:2-38-09 of the Administrative Code.
 - (7) A copy of the JFS 01412 "Comprehensive Assessment and Planning Model - I.S., Semiannual Administrative Review" (rev. 2/2006), prepared in accordance with rule 5101:2-38-10 of the Administrative Code.

- (8) A copy of any written materials presented during the semiannual administrative review(s).
- (9) Transfer summaries prepared by the PCSA.
- (10) The rationale supporting the decision for removal of a child from his or her home.
- (11) In cases where a child was removed from his or her family as a result of exigent circumstances the case record shall contain documentation of the following:
 - (a) Reasonable efforts made by the PCSA to prevent the removal of the child from the child's home.
 - (b) Attempts to provide the parent, guardian, or custodian with notification of the child's emergency removal.
 - (c) Attempts to provide the parent, guardian, or custodian with notification regarding the removal and any court hearings regarding their child.
- (12) If a child came into care as a result of a court order, a copy of the court order certifying:
 - (a) Whether or not the PCSA made reasonable efforts to prevent the placement or reasonable efforts were not possible due to the emergency nature of the child's removal; to eliminate the continued removal of the child from the child's home, safely reunify the child with the family; or that reasonable efforts to prevent the placement or reunify the child with the family were not required pursuant to rule ~~5101:2-39-05~~ 5101:2-39-01 of the Administrative Code.
 - (b) Continuation of the child in the home would be contrary to the welfare of the child or placement outside the home is in the best interest of the child.
 - (c) The child's placement is in the most family-like and least-restrictive setting available and in close proximity to the parent's home, consistent with the best interest and special needs of the child.

- (13) All copies of JFS 01645 "Agreement For Temporary Custody of Child" (rev. 4/2006), as applicable.
- (14) Documentation for all children in foster care that the PCSA verified their citizenship or immigration status, as applicable. This verification requirement applies to all children placed in foster care regardless of whether or not Title IV-E foster care maintenance payments are made on their behalf.
- (15) Copies of applications for financial or social service support programs including, but not limited to Ohio works first (OWF), prevention, retention and contingency program, Title IV-B, Title IV-E, Title XX, medical assistance, supplemental security income, or children with medical handicaps program, and documentation supporting eligibility determinations made.
- (16) A copy of the child's social security card or application for same.
- (17) A copy of the child's birth certificate.
- (18) Documentation of the rationale for the selection of a particular substitute caregiver for children needing substitute care services.
- (19) Documentation of the provision of information to the potential caregiver regarding the child for whom care is sought in accordance with rule 5101:2-42-90 of the Administrative Code.
- (20) A copy of the JFS 01700 "Individual Child Care Agreement" (rev. 12/2006) as executed between the PCSA and the substitute caregiver.
- (21) A roster indicating the dates and location of each placement for the child, including returns to the family's home, and copies of any reports, correspondence, or information concerning interstate placements.
- (22) Documentation of services provided to the child in preparation for his removal from substitute care, including a copy of the JFS 01404 "Comprehensive Assessment and Planning Model – I. S. Reunification Assessment" (rev. 2/2006) prepared in accordance with rule 5101:2-38-09 of the Administrative Code.
- (23) Notes or other documentation evidencing written or oral notice to a caregiver, including any agreement by the caregiver to less than five days advance notice of removal.

- (24) Documentation of lifebook activities as required by rule 5101:2-42-67 of the Administrative Code.
- (25) Documentation of any application and assessment of a relative or nonrelative home placement setting as required by rule 5101:2-42-18 of the Administrative Code.
- (26) A color photograph of the child who is in the temporary or permanent custody of the agency. The photograph shall be updated on an annual basis.
- (27) A copy of the OWF self-sufficiency contract if a PCSA family is receiving assistance and services from the CDJFS.
 - (a) The PCSA shall request a copy of the OWF self-sufficiency contract from the CDJFS.
 - (b) The PCSA shall indicate in the case record the date the request was made to the CDJFS.
- (F) The PCSA shall maintain case records in a consistent and organized manner such that required information set forth in this rule can be readily located. If the PCSA maintains any required information set forth in this rule in a location other than the case record, it shall be stated in the PCSA policy or noted in the case record where the information can be found.
- (G) The PCSA shall, to the extent possible, record case information in the statewide automated child welfare information system (SACWIS). Case ~~records may~~ information that cannot be recorded in SACWIS shall be maintained as hard copy files, electronic files or as a combination of both.

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CERTIFIED ELECTRONICALLY

Certification

09/19/2011

Date

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