5101:2-33-70   **Statewide automated child welfare information system (SACWIS) access.**

(A) The statewide automated child welfare information system (SACWIS) shall be established and maintained in accordance with the requirements of 42 ~~USC~~U.S.C. 674 (a)(3)(C) (2008). Access to and use of data in SACWIS shall be limited to the extent necessary to carry out the child welfare program under Title IV-B of the Social Security Act~~, 81 Stat. 821 (1967) 42 USC 620~~, of 1967, P.L. 109-288, 120 Stat. 1244 (2006), the Child Abuse Prevention and Treatment Act, ~~88 Stat. 4 (1974)~~110 Stat. 3064 (1996), 42 ~~USC~~U.S.C. 5101, Title IV-E of the Social Security Act~~, 94 Stat. 501~~ of 1967, 110 Stat. 2166 (1996), 42 ~~USC~~U.S.C. 670 ~~(1996)~~, and Title XX of the Social Security Act, ~~88 Stat. 2337 (1974)~~124 Stat. 803 (2010), 42 ~~USC~~U.S.C. 1397.

(B) The data in SACWIS is confidential and access to any child welfare information shall be pursuant to this rule or section 5101.132 of the Revised Code.

~~(B)~~(C) The data in SACWIS is confidential and release of any child welfare information shall be pursuant to rule 5101:2-33-21 of the Administrative Code.

~~(C)~~(D) Personnel having access to SACWIS shall be limited to those persons who have been trained in the confidentiality requirements of SACWIS, who are informed of all penalties, who have been trained in security procedures, and who have signed the JFS 07078 "Code of Responsibility" (rev. 6/2009).

~~(D)~~(E) The public children services agencies (PCSA) shall monitor access to and use of SACWIS to prevent and identify unauthorized use of SACWIS.

~~(E)~~(F) The PCSA shall ensure that all personnel who may have access to or be required to use SACWIS are informed of applicable requirements and penalties and have been trained in security procedures.

~~(F)~~(G) In addition to the criminal penalty provision listed in section 5101.99 of the Revised Code, the PCSA shall have administrative penalties, up to and including dismissal from employment, for unauthorized access to or disclosure or use of data in SACWIS.

~~(G)~~(H) The PCSA shall enter applicable child welfare information required in this rule and/or by federal or state statute, regulation, or rule directly into SACWIS. Failure to enter such child welfare information may result in sanctions in accordance with section 5101.24 of the Revised Code or withholding of state and/or federal funding.

~~(H)~~(I) Each PCSA shall enter children services data into SACWIS including, but not limited to:

(1) Information listed in rule 5101:2-33-23 of the Administrative Code.

(2) Intake and assessment/investigation including assessment tools.

(3) 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 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.

(4) Case status information.

(5) Case plan, case review(s), court information and services, including documenation of verbal, written, or electronic referrals and the provision of services on behalf of children and families served by the PCSA.

(6) A summary of reports received from service providers, including oral, written or electronic summaries, and the dates when services were received.

(7) Custody and placement information.

(8) Adoption information including recruitment activities, pre-adoptive staffing, or matching conference information.

(9) Provider record including homestudies, recruitment plans and events.

(10) Child welfare related agency administrative and training activities.

(11) Financial eligibility and re-determinations, record reimbursement and actual cost information, and financial information to support accounts payable to counties and providers.

(12) Exchange data with support enforcement tracking system (SETS), medicaid ~~management~~ information technology system ~~(MMIS)~~(MITS), and client registry information system-enhanced (CRIS-E) to determine eligibility and the central accounting system (CAS), auditor of state (AOS) to disburse payments, ~~integrated eligibility system~~Ohio benefits worker portal (OBWP) and any federally mandated exchange.

(13) Data as required by section 479 of the Social Security Act of 1967 (42 USCU.S.C. 679) (1994)(2014); 45 CFRC.F.R. parts 1355 (2012), 1356 (2012), and 1357 (2012)(2001) for the adoption and foster care analysis and reporting system (AFCARS); national child abuse, and neglect, dependency data system (NCANDS); child and family services reviews (CFSR); child protection and oversight evaluation (CPOE) system; national youth transition database (NYTD) and Multiethnic Placement Act of 1994 (MEPA), as amended by section 1808 of the Small Business Job Protection Act of 1996, 42 USCU.S.C. 622(b)(9)(2011)(2014), 671(a)(18)(2010)(2014), 674(d)(2008) and 1996(b)(1996).

(14) Any other data identified by the department as necessary to reflect current case activities including, but not limited to, case, services, person, placement resource or licensing information, financial information or agency status.

(I)(J) The PCSA shall enter and update information in SACWIS each work day or as information becomes available, pursuant to paragraphs (G)(H) and (H)(I) of this rule.

(J)(K) Private child placing agencies (PCPAs) and private non-custodial agencies (PNAs) shall enter information into SACWIS for the purposes of approving and recommending licensure of foster and adoptive homes and submitting training reimbursement requests. The PCPA and PNA granting any PCPA or PNA personnel access to SACWIS shall follow the same process as a PCSA in paragraphs (A) to (F)(G) of this rule.

(K)(L) Any juvenile court, that is a sub grantee with ODJFS for the purposes of Title IV-E financial reimbursement, shall enter information into SACWIS regarding the provision of services to any child who is at risk of child abuse and neglect and Title IV-E financial reimbursement is being requested. The juvenile court, that is a sub grantee with ODJFS for the purposes of Title IV-E financial reimbursement, granting any juvenile court personnel access to SACWIS for the purposes of Title IV-E financial reimbursement shall do so in accordance with paragraphs (A) to (F)(G) of this rule.

(L)(M) A prosecuting attorney, who represents a PCSA, shall be permitted SACWIS access if directly connected with assessment, investigation, or services regarding a child or family. The PCSA shall do so in accordance with paragraphs (A) to (F)(G) of this rule.

(N) If a PCSA is utilizing a "Wendy's Wonderful Kids" (WWK) recruiter employed by another PCSA, PCPA, or PNA, the PCSA responsible for the child's case may permit the WWK recruiter direct SACWIS access to review and record information

related to any child or sibling group being provided services by the WWK recruiter. The PCSA shall do so in accordance with paragraphs (A) to (G) of this rule.

(M)(O) If a PCSA grants a PCSA intern access to SACWIS, the PCSA shall do so in accordance with paragraphs (A) to (F)(G) of this rule. Any case record information recorded into SACWIS by an intern shall be reviewed and approved by the PCSA director or designee.

(N)(P) No direct access to SACWIS or any other state of Ohio database shall be requested by or on behalf of, nor approved for or granted to, any researcher conducting research under paragraph (Q) of rule 5101:2-33-21 of the Administrative Code.

(O)(Q) The term "access to SACWIS", and any variation thereof, as used in this rule and in Chapter 5101:2-33 of the Administrative Code, is not synonymous with "disseminate all information" as used in rule 5101:2-33-21 of the Administrative Code. SACWIS access shall only be granted if expressly permitted by state law or rule.

Effective:

Five Year Review (FYR) Dates: 05/29/2015

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Certification

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Date

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