

5101:2-36-01

Intake and screening procedures for child abuse, neglect, dependency and family in need of services reports; and information and/or referral intakes.

- (A) A public children services agency (PCSA) shall attempt to obtain, at a minimum, the following information from a referent/reporter making a referral regarding child safety, risk of child maltreatment or need for services in order to determine an intake category and arrive at a screening decision. Receipt of all of the following information is not required in order to screen in a report or to categorize the information as information and/or referral:
- (1) The name(s) and address(es) of the child and his parent, guardian or custodian and all household members.
 - (2) The child's age.
 - (3) The child's and any family member's race and ethnicity.
 - (4) The type, extent, frequency, and duration of the abuse, neglect or dependency, as applicable.
 - (5) Alleged perpetrator's access to the child, if applicable.
 - (6) The child's current condition.
 - (7) The child's current location.
 - (8) Circumstances regarding the abuse, neglect, or dependency or the circumstances indicating a need for PCSA services.
 - (9) Information regarding any evidence of previous injuries, abuse, or neglect.
 - (10) Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect or the known or suspected threat of injury, abuse, or neglect or the case circumstances that support the family is in need of PCSA services.
- (B) The PCSA may request that a referent/reporter providing information submit the allegations in writing. The PCSA shall not delay making the screening decision while waiting for the written information from the referent/reporter.
- (C) All information reported to a PCSA alleging known or suspected child abuse, neglect, or dependency, or indicating a family is in need of PCSA services shall be recorded in the statewide automated child welfare information system (SACWIS) as an intake in accordance with the following:

- (1) Referral information received shall be recorded in SACWIS no later than the next working day from the date of the receipt of the referral information.
 - (2) The original date and time the referral information is received by the PCSA shall be reflected in SACWIS including the actual date and time of the screening decision.
- (D) If a PCSA receives a referral alleging abuse or neglect of a child located in Ohio and the child's parent, guardian or custodian resides in another state, the PCSA shall:
- (1) Contact the children services agency (CSA) and inform the CSA of the referral pursuant to rule 5101:2-36-13 of the Administrative Code.
 - (2) If the referral is not accepted by the CSA where the child's parent, guardian or custodian resides, the PCSA shall categorize and complete a screening decision in accordance with this rule.
- (E) If a PCSA receives a referral alleging an incident of child abuse or neglect that occurred in Ohio, the child is located outside of Ohio, and the child's parent, guardian or custodian resides in another state, the PCSA shall:
- (1) Contact the CSA and inform the CSA of the referral pursuant to rule 5101:2-36-13 of the Administrative Code.
 - (2) Make a referral to the law enforcement agency with jurisdiction if the referral alleges a criminal offense.
- (F) The PCSA shall categorize the information received into one of the following intake categories:
- (1) Child abuse and/or neglect report.
 - (a) Physical abuse, in accordance with section 2151.031 of the Revised Code, and any report alleging either of the following:
 - (i) An infant identified as affected by legal or illegal substance abuse or withdrawal symptoms resulting from prenatal or postnatal substance exposure pursuant to rule 5101:2-1-01 of the Administrative Code ~~drug exposure~~.
 - (ii) An infant diagnosed with a fetal alcohol spectrum disorder.
 - (b) Physical abuse, shaken baby, in accordance with section 2151.031 of the Revised Code.

- (c) Sexual abuse, in accordance with section 2151.031 of the Revised Code and Chapter 2907. of the Revised Code.
 - (d) Emotional maltreatment/mental injury, in accordance with section 2151.011 or 2151.031 of the Revised Code.
 - (e) Neglect, in accordance with section 2151.03 of the Revised Code.
 - (f) Medical neglect, in accordance with section 2151.03 of the Revised Code.
 - (g) Medical neglect, ~~Disabled~~ disabled infant, ~~also known as "Baby Doe"~~, in accordance with rule 5101:2-36-07 of the Administrative Code.
- (2) Dependency report. Dependent child, as defined in section 2151.04 of the Revised Code.
- (3) Family in need of services report.
- (a) Emancipated youth, in accordance with rule 5101:2-42-19.2 of the Administrative Code.
 - (b) Permanent surrender, in accordance with rule 5101:2-42-09 of the Administrative Code.
 - (c) Deserted child, as defined in rule 5101:2-1-01 of the Administrative Code and in accordance with rule 5101:2-36-06 of the Administrative Code.
 - (d) Stranger danger investigation, in accordance with rule 5101:2-36-05 of the Administrative Code for a child whom the PCSA considers to be in need of public care or protective services.
 - (e) Post-finalization adoption services, ~~in accordance with~~ as defined in rule 5101:2-1-01 of the Administrative Code upon the request of the birth parent, adoptive parent or adoptee.
 - (f) Preventive services, as defined in rule 5101:2-1-01 of the Administrative Code for a child whom the PCSA considers to be in need of public care or protective services.
 - (g) Unruly child/delinquent child, whom the PCSA considers to be in need of public care or protective services in accordance with section 5153.16 of the Revised Code and memorandum's specified in rule 5101:2-33-26 of the Administrative Code.

- (h) Child fatality, non-child abuse/neglect, in accordance with rule 5101:2-42-89 of the Administrative Code.
 - (i) Required non-lead PCSA interviews, in accordance with rules 5101:2-36-03, 5101:2-36-04, and 5101:2-36-09 of the Administrative Code and sections 5103.20 and 2151.56 of the Revised Code.
 - (j) Courtesy supervision in accordance with sections 5103.20 and 2151.56 of the Revised Code.
 - (k) Home evaluation/visitation assessment, in accordance with rules 5101:2-1-01 and 5101:2-42-18 of the Administrative Code or in response to a request from another PCSA or a court exercising appropriate jurisdiction.
 - (l) Pre-placement or postnatal services for the placement of an infant of an incarcerated mother, in accordance with rule 5101:2-42-60 of the Administrative Code.
 - (m) Adoption subsidy only in accordance with Chapter 5101:2-49 of the Administrative Code.
 - (n) Interstate compact on the placement of children (ICPC) in accordance with rule 5101:2-52-04 of the Administrative Code.
 - (o) Alternative response required non-lead PCSA contacts, in accordance with rule 5101:2-36-20 of the Administrative Code.
- (4) Information and/or referral, pursuant to rule 5101:2-1-01 of the Administrative Code, if paragraph (F)(1), (F)(2), or (F)(3) of this rule do not apply.

(G) When a PCSA receives referral information pursuant to paragraphs (F)(1)(a)(i) and (F)(1)(a)(ii) of this rule, the PCSA shall attempt to gather the following regarding the plan of safe care, which is defined in rule 5101:2-1-01 of the Administrative Code:

(1) The name(s) and address(es) of all of the following:

(a) The child.

(b) The parent, guardian(s), or custodian(s).

(c) All household members.

(2) Identify the caregiver(s) for the infant.

- (3) A description of the interaction between the mother/caregiver and infant.
- (4) The name of the hospital or medical facility where the infant is receiving care.
- (5) Any known medical information on the parent(s), guardian(s), caregiver(s), infant, or household members.
- (6) Information regarding any known legal or illegal substance abuse, which includes the history of legal or illegal substance abuse by parent(s), guardian(s), caregiver(s) and household members.
- (7) Information regarding support systems for the parent(s), guardian(s), caregiver(s), or household members.
- (8) Information on the managed care plan and insurance information.
- (H) The PCSA shall not screen out any referral categorized in paragraph (F)(1)(a) of this rule if:
 - (1) The plan of safe care information listed in paragraph (G) of this rule is not obtained.
 - (2) The plan of safe care has not been developed.
 - (3) The plan of safe care is not adequate to address the safety of the infant.
- ~~(G)~~(I) The PCSA shall complete the screening decision and determine the immediacy of need for any agency response to ensure child safety within twenty-four hours from receipt of the information and following the categorization of the referral information in accordance with paragraphs (F)(1), (F)(2), and (F)(3) of this rule based on the information received from the referent/reporter and the child protective services records regarding the principals of the report. In addition to the information received from the referent the PCSA may review any available public record. The review of any non-public record shall occur only with written consent for the release of information signed by the individual subject of the records.
- ~~(H)~~(J) If the PCSA screens out a referral of abuse or neglect and a principal of the report is a person responsible for the child's care in an out-of-home care setting pursuant to rule 5101:2-1-01 of the Administrative Code, the PCSA shall notify licensing and supervising authorities, as appropriate, no later than four working days from the date of the screening decision to share information.

~~(K)~~(L) PCSAs ~~that have written approval from the Ohio department of job and family services to participate in alternative response~~ shall assign reports screened in and categorized pursuant to paragraph (F)(1) of this rule to one of the following pathways:

- (1) Traditional response, pursuant to Chapters 5101:2-36, 5101:2-37, and 5101:2-38 of the Administrative Code.
- (2) Alternative response, pursuant to rules 5101:2-36-20 and 5101:2-38-20 of the Administrative Code.

~~(K)~~(L) The PCSA shall assign the following types of reports of child abuse and/or neglect to the traditional response pathway:

- (1) Reports containing allegations that could result in charges of felony child endangering.
- (2) Physical abuse resulting in serious injury or that creates a serious and immediate risk to a child's health and safety.
- (3) Reports containing allegations that could result in charges of criminal sexual conduct.
- (4) Reports containing allegations of the sexual abuse of a child or an abused child who is also a victim of sexual abuse.
- (5) Reports containing allegations that could result in charges of homicide.
- (6) Reports requiring a specialized assessment as identified in rule 5101:2-36-04 of the Administrative Code.
- (7) Reports requiring a third party investigative procedure as identified in rule 5101:2-36-08 of the Administrative Code.
- (8) Reports containing allegations regarding a suspicious child fatality.

~~(K)~~(M) All referral information categorized as information and/or referral pursuant to paragraph (F)(4) of this rule shall be screened out. The PCSA shall identify which of the following activities was completed by the PCSA.

- (1) Directed/advised to contact non-PCSA service provider within the county.
- (2) Directed/advised to contact non-PCSA service provider outside the county.
- (3) Provided information only/no referral made.

(4) Additional information received on an open case that is not alleging abuse or neglect of a child.

~~(L)~~(N) The PCSA may refer the referent/reporter to the county prosecutor pursuant to the county child abuse and neglect memorandum of understanding developed pursuant to section 2151.421 of the Revised Code.

~~(M)~~(O) Additional child abuse and/or neglect allegations screened in within the first four working days of the acceptance of a child abuse and/or neglect report and prior to the completion of an assessment of safety with the child and the parent/caregiver, may be added to the initial report and assessed/investigated concurrently with the allegations received initially. The date and time the subsequent report was received along with the reporter information shall be recorded.

~~(N)~~(P) Additional child abuse and/or neglect allegations screened in after the first four working days of the acceptance of the previous child abuse and/or neglect report or after completion of the assessment of safety shall be recorded as a subsequent child abuse and/or neglect report and are subject to the requirements contained in rules 5101:2-36-03, 5101:2-36-04, and 5101:2-36-05 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/24/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 2151.421, 2151.3518, 5153.166
Rule Amplifies: 2151.421, 2151.3518, 5153.16
Prior Effective Dates: 2/1/82, 10/1/82, 1/1/87, 1/1/88, 3/15/88, 1/1/90,
10/1/95, 6/1/96, 6/1/97, 10/1/97 (Emer.), 12/30/97,
3/01/06, 10/01/09, 07/01/11, 3/1/14