

5101:2-36-08

PCSA requirements for conducting third party assessment/investigations.

(A) The public children services agency (PCSA) shall conduct a third party assessment/investigation if there is a conflict of interest for the PCSA as a result of a child abuse and/or neglect report when one or more of the following parties are involved as alleged perpetrators or principals of the case of child abuse or neglect:

(1) Any employee of an institution or facility that is licensed or certified by the Ohio department of job and family services (ODJFS) or another state agency and supervised by the PCSA.

(2) A foster caregiver or pre-finalized adoptive parent that is licensed, certified, or approved by ODJFS and supervised by the PCSA.

(3) A type B family day care home certified by a county department of job and family services (CDJFS) that has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.

(4) Any employee, or agent of ODJFS or the PCSA as defined in Chapter 5153. of the Revised Code.

(5) Any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer.

(6) Any other time a PCSA determines that they have a conflict of interest.

(B) Unless the third party assessment/investigation is being conducted by another PCSA pursuant to paragraph (C) of this rule, the PCSA shall request the assistance of law enforcement within twenty-four hours from the time the lead PCSA screens in the child abuse and/or neglect report, and follow up the request in writing within three calendar days from the date the PCSA screens in the child abuse and/or neglect report.

(C) A third party assessment/investigation may be conducted by another PCSA through mutual agreement of the agencies if the report does not allege a criminal offense. The lead PCSA shall request the assistance of the second PCSA within twenty-four hours from the time the PCSA screens in the child abuse and/or neglect report. The second PCSA shall complete the assessment/investigation within the timeframes established pursuant to rule 5101:2-36-03 or 5101:2-36-04 of the Administrative Code.

(D) An investigation/assessment conducted by a third party does not relieve a PCSA of its responsibility for conducting its own assessment/investigation.

(E) The PCSA shall comply with all procedures pursuant to rule 5101:2-36-03 of the Administrative Code when the report alleges intra-familial child abuse or neglect as

defined in rule 5101:2-1-01.1 of the Administrative Code.

(F) The PCSA shall comply with all procedures pursuant to rule 5101:2-36-04 of the Administrative Code when the child abuse or neglect report involves an alleged perpetrator who meets one or more of the following criteria:

(1) Is a person responsible for the child's care in an out-of-home care setting as defined in rule 5101:2-1-01 of the Revised Code.

(2) Is a person responsible for the child's care in out-of-home care as defined in section 2151.011 of the Revised Code.

(3) Has access to the child by virtue of his employment by or affiliation to an institution.

(G) The PCSA shall maintain the PCSA's assessment/investigation and the third party assessment/investigation report from law enforcement or other PCSA in the case record.

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Certification

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