

5101:2-36-20

Public children services agencies assessment requirements for child abuse and neglect reports in alternative response.

~~(A)~~ This rule applies to public children services agencies (PCSAs) that received training and written approval from the Ohio department of job and family services (ODJFS) to implement alternative response.

~~(B)~~(A) The PCSA shall initiate the screened in child abuse and neglect report assigned to the alternative response pathway in accordance with the following:

(1) For an emergency report, attempt a face-to-face contact with the child subject of the report within one hour from the time the referral was screened in as a report in order to assess child safety.

(2) For all other reports, complete one of the following activities, within twenty-four hours from the time the referral was screened in as a report, with a principal of the report or collateral source, who has knowledge of the child's current condition and can provide current information about the child's safety:

(a) Attempt a face-to-face contact with the parent, child or collateral source.

(b) Attempt a telephone contact with the parent or collateral source.

(c) Send a letter to the parent, guardian, or custodian acknowledging a report was received and inviting the family to engage with the PCSA.

~~(C)~~(B) The PCSA shall advise the parent, guardian, or custodian of the information contained in the report at the time of the initial contact. The initial contact between the PCSA and the parent, guardian, or custodian includes face-to-face or telephone contact, whichever occurs first, if information is gathered as part of the assessment process.

~~(D)~~(C) The PCSA shall document in the case record the date, time, and with whom the assessment was initiated. For all reports initiated by the mailing of a letter, the date the letter is mailed shall be documented in the case record.

~~(E)~~(D) The PCSA shall complete and document the JFS 01401, "Comprehensive Assessment Planning Model - I.S., Safety Assessment" (rev. 2/2006) pursuant to rule 5101:2-37-01 of the Administrative Code.

(1) The PCSA shall attempt face-to-face contact with the child subject of the report and a parent, guardian, custodian, or caregiver within the first four working days from the date the report was screened in as an abuse or neglect report.

(2) If the PCSA's attempt to complete face-to-face contact pursuant to paragraph ~~(E)~~ (D)(1) of this rule is unsuccessful, the PCSA shall attempt at least one additional face-to-face contact within the first four working days from the date that the referral was screened in as a report.

~~(F)~~ (E) If the initial attempted face-to-face contacts with the child subject of the report and caretaker, as specified in paragraphs ~~(B)~~ (A) and ~~(E)~~ (D) of this rule are unsuccessful, the PCSA shall at a minimum continue making attempts of face-to-face contact at least every five working days until the child subject of the report and caretaker are seen or until the PCSA is required to complete a case decision pursuant to paragraph ~~(F)~~ (S) or ~~(U)~~ (T) of this rule.

~~(G)~~ (F) The PCSA shall not contact a child subject of the report or his or her siblings without parental consent, unless one of the following exigent circumstances exists:

- (1) There is credible information indicating the child is in immediate danger of serious harm.
- (2) There is credible information indicating the child will be in immediate danger of serious harm upon return home from school or other locations away from his or her home.
- (3) There is credible information indicating the child may be intimidated from discussing the alleged abuse or neglect in his or her home.
- (4) The child requests to be contacted at school or another location due to one of the circumstances listed above.

~~(H)~~ (G) If a child is contacted without parental consent, then the same day, the PCSA shall attempt a face-to-face contact or complete telephone contact with the child's parent, guardian, or custodian to inform them that contact with his or her child occurred and provide the specific facts necessitating the child be contacted without parental consent.

~~(I)~~ (H) The specific facts necessitating contact with the child be completed without parental consent shall be documented in the case record.

~~(J)~~ (I) If the attempt to contact the child's custodian pursuant to paragraph ~~(H)~~ (G) of this rule is unsuccessful, the PCSA shall continue to attempt to complete face-to-face contact with the child's parent, guardian or custodian once every five working days until contact is made with the child's parent, guardian, or custodian, or until the PCSA is required to make a case decision pursuant to paragraph ~~(F)~~ (S) or ~~(U)~~ (T) of this rule.

~~(K)~~(J) The PCSA shall complete and document face-to-face contacts with each child residing within the home of the child(ren) who were the subject of the report.

~~(L)~~(K) The PCSA shall complete and document face-to-face contacts with all adults residing within the home of the child(ren) who were the subject of the report.

~~(M)~~(L) If the attempted face-to-face contacts with the family, as specified in paragraphs ~~(K)~~(J) and ~~(L)~~(K) of this rule are unsuccessful, the PCSA shall continue making attempts of face-to-face contact at least every five working days, at a minimum, until the child is seen or until the PCSA is required to complete a case decision pursuant to paragraph ~~(T)~~(S) of this rule.

~~(N)~~(M) The PCSA shall convert a case from the alternative response pathway to the traditional response pathway if any of the following occur:

- (1) The family requests a pathway change from the alternative response pathway to the traditional response pathway.
- (2) The JFS 01401, JFS 01419 "Comprehensive Assessment Planning Model - I.S., Alternative Response Family Assessment" (rev. 7/2008), or JFS 01423 "Comprehensive Assessment Planning Model - I.S., Alternative Response Ongoing Case Assessment" (rev. 7/2008) cannot be completed because the family refused to engage in the assessment process.
- (3) The PCSA files a complaint with the juvenile court pursuant to section 2151.27 of the Revised Code alleging the child is abused, neglected or dependent child.
- (4) The PCSA screens in a report requiring assignment in a traditional response pathway pursuant to paragraph ~~(T)~~(L) of rule 5101:2-36-01 of the Administrative Code.

~~(O)~~(N) The PCSA shall record a pathway switch in SACWIS no later than the next working day from the date of the event triggering the conversion of a case from the alternative response pathway to the traditional response pathway.

~~(P)~~(O) The PCSA shall notify the principals of the report of the pathway change either verbally or in writing within three working days upon the conversion of a case from the alternative response pathway to the traditional response pathway if the pathway switch is not the result of a subsequent report received and assigned to the traditional response pathway. ~~the~~ The notification(s) shall be documented in the case record.

~~(Q)~~(P) If the PCSA determines a child to be in immediate danger of serious harm, the PCSA shall follow procedures outlined in rule 5101:2-37-02 of the Administrative Code.

~~(R)~~(Q) The PCSA shall conduct and document face-to face or telephone contact with any person identified as a possible source of information during the assessment to obtain relevant information regarding the safety of and risk to the child. The PCSA shall exercise discretion in the selection of collateral sources to protect the family's right to privacy.

~~(S)~~(R) If two or more PCSAs are involved in an assessment, the lead county shall be determined by the following criteria:

- (1) The PCSA located within the county where the parent, guardian, custodian of the child subject of the report resides.
- (2) If an order of shared parenting has been issued, and a residential parent has not been designated by the court, the PCSA located within the county of residence of the custodian who has physical care of the child subject of the report at the time the incident occurred.

~~(T)~~(S) If requested by the lead PCSA, either verbally or in writing, the non-lead PCSA located in a non-contiguous county shall conduct interviews of any principals of the report and collateral sources presently located within its jurisdiction to provide the lead agency with the information necessary to complete the JFS 01401, JFS 01419, and/or JFS 01423 within the time frames outlined in this rule. All PCSAs involved shall document the request in the case record.

~~(U)~~(T) The PCSA shall have an interpreter present for all interviews when the PCSA has determined that a principal of the report has a language or any other impairment that causes a barrier in communication, including but not limited to a principal of the report who is deaf or hearing impaired, limited English proficiency or is developmentally delayed.

(U) For all reports involving 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 the PCSA shall:

- (1) Ensure the plan of safe care has been developed.
- (2) Ensure the plan of safe care addresses the safety needs of the infant.
- (3) Ensure the plan of safe care addresses the health and substance use disorder treatment needs of the affected family or caregiver.

(V) The PCSA shall make a case decision by completing the JFS 01419 pursuant to rule 5101:2-37-03 of the Administrative Code no later than forty-five days from the date the PCSA screened in the referral as a report.

- (1) The PCSA may extend the time frame for completion of the JFS 01419 pursuant to rule 5101:2-36-11 of the Administrative Code with written justification and supervisory approval. The time frame for extension shall not exceed fifteen days.
 - (2) The JFS 01419 shall be entered in SACWIS within three working days from the date of the case decision.
- (W) If the child abuse and/or neglect report involves a family member receiving services after the completion of the JFS 01419, the PCSA shall make the final case decision by completing the JFS 01423 pursuant to rule 5101:2-37-03 of the Administrative Code.
- (X) If the case decision is to transfer the case for ongoing PCSA services, and the case will continue to be assigned to the alternative response pathway, the agency shall provide ongoing services to the family pursuant to rule 5101:2-38-20 of the Administrative Code.
- (Y) Within two working days of completion of the assessment, the PCSA shall do all of the following:
- (1) Notify the parent, guardian, or custodian of the final case decision in writing.
 - (2) Refer to "Help Me Grow" any infant born and identified as affected by legal or illegal substance abuse, fetal alcohol syndrome, or withdrawal symptoms resulting from prenatal drug exposure.
 - (3) Notify all participants involved in the plan of safe care of the final case decision. The final decision includes whether the case will be transferred for ongoing PCSA services, closed and referral made to community services, or closed. The following plan of safe care participants shall be notified:
 - (a) Parents, guardians, custodians or other caregivers for the infant.
 - (b) Health care providers involved in the delivery or care of the infant.
 - (c) Collaborating professional partners and agencies involved in caring for the infant and family.
 - ~~(3)~~(4) Notify the child's non-custodial parent, who holds residual parental rights to the child and maintains an ongoing relationship through visitation with the child and/or payment of child support, of the receipt of the report, and the case decision.

- (Z) Documentation of the alternative response assessment, including any materials obtained during the assessment, shall be maintained in the case record.
- (AA) The PCSA may extend time frames for completion or waive assessment activities pursuant to rule 5101:2-36-11 of the Administrative Code.

Effective:

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

Certification

Date

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