

5101:2-37-02

PCSA requirements for completing the safety plan.

- (A) The public children services agency (PCSA) shall immediately develop and implement a JFS 01409 "Comprehensive Assessment and Planning Model - I.S., Safety Plan for Children" (rev. 2/2006) if the PCSA determines ~~determined~~ a child is in immediate danger of serious harm.
- (B) At a minimum, the PCSA shall assess all of the following to determine the degree of intervention necessary to control safety threats and protect the child:
- (1) The presence of active safety threats.
 - (2) The vulnerability of the child.
 - (3) The protective capacities of the parent, guardian, or custodian.
 - ~~(4) The family's history of child abuse and/or neglect resulting in serious harm.~~
- ~~(C) The PCSA shall document the assessment of safety outlined in paragraph (B) of this rule on the JFS 01401 "Comprehensive Assessment and Planning Model - I.S., Safety Assessment" (rev. 2/2006) pursuant to paragraph (A) of rule 5101:2-37-01 of the Administrative Code or on the safety re-assessment contained within the JFS 01413 "Comprehensive Assessment and Planning Model - I.S., Case Review" (rev. 2/2006) pursuant to paragraph (G) of rule 5101:2-38-09 of the Administrative Code. The JFS 01401 or the safety re-assessment shall be approved by the supervisor and documented in the case record.~~
- ~~(D)~~(C) If an infant is born and identified as affected by illegal substance use or withdrawal symptoms resulting from prenatal drug exposure, the PCSA shall develop a safety plan as needed, pursuant to paragraph ~~(D)~~(E) or ~~(P)~~(F) of this rule.
- ~~(E)~~(D) If, after the assessment of safety, the safety response is to implement an in-home safety plan or an out-of-home safety plan, the PCSA shall develop a safety plan utilizing the JFS 01409.
- ~~(F) If, after the assessment of safety, the safety response is to implement a legally authorized out-of-home placement, the PCSA shall contact law enforcement and/or remove the child pursuant to rule 5101:2-39-01 of the Administrative Code. Completion of the JFS 01409 is not required for a legally authorized out-of-home placement safety response.~~
- ~~(G) If developing the JFS 01409, the PCSA shall consider, at a minimum, all of the following:~~
- ~~(1) How to involve the parent, guardian, or custodian, extended family, and~~

community resources.

- ~~(2) How to utilize the least restrictive and least disruptive strategies to control safety threats while securing the safety of the child.~~
- ~~(3) Which methods will be utilized for receiving information from other involved persons or agencies assisting in monitoring the safety plan.~~
- ~~(4) How the PCSA monitors the safety plan.~~

~~(H)(E)~~ As applicable, ~~the~~ The PCSA and the parent, guardian, or custodian shall mutually: identify each individual or community resource responsible for conducting an action step specified on the safety plan and agree to the participation of that individual or community resource on the safety plan.

- (1) Identify the action steps to control the active safety threats.
- (2) Identify each individual or community resource responsible for conducting an action step specified on the safety plan.
- (3) Agree to the participation of that individual or community resource on the safety plan.

~~(H)(F)~~ To implement a safety plan utilizing the JFS 01409, the PCSA shall do one of the following: obtain signatures on the JFS 01409 from the parent, guardian, or custodian and all persons responsible for a safety plan action step indicating their willingness to participate in the safety plan.

- (1) Obtain signatures on the JFS 01409 from the custodial parent, legal guardian, or legal custodian and all persons responsible for a safety plan action step indicating their willingness to participate in the safety plan.
- (2) If an order of shared parenting has been issued, and there has not been a residential parent designated by the court, the PCSA shall obtain agreement and signatures on the JFS 01409 of both parents.
- (3) If a custodial parent, legal guardian, or legal custodian or person responsible for an action step is not present to sign the JFS 01409, the safety plan may be implemented with a verbal authorization. The PCSA shall document the date and time the verbal authorization was received.

(G) If verbal authorization is obtained the PCSA shall complete an extension pursuant to rule 5101:2-36-11 of the Administrative Code and attempt to obtain the signature(s) on the JFS 01409 within five working days from receipt of the verbal authorization. All attempts to obtain the signature(s) and the reasons why the signature(s) cannot be obtained shall be documented in the case record. The PCSA shall implement

alternative safety interventions if the signature(s) cannot be obtained.

(H) The PCSA shall waive the signature of the custodial parent, legal guardian, or legal custodian outlined in paragraph (F) of this rule who is unable or unavailable to sign the safety plan if the PCSA has obtained one signature from another custodial parent, legal guardian, or legal custodian pursuant to rule 5101:2-36-11 of the Administrative Code. The reason(s) why the signature cannot be obtained shall be documented in the case record.

~~(J) If the parents of the child are married or if the parents of the child are divorced and a court issued an order of joint custody, the PCSA shall obtain agreement and signatures from both parents.~~

~~(K) If the parent, guardian, custodian or person responsible for an action step is not present to sign the JFS 01409, the safety plan may be implemented with a verbal authorization of at least one parent, guardian, or custodian. The verbal authorization shall be solidified with the signature(s) of the parent, guardian, or custodian and person responsible for an action step within twenty four hours of receipt of the verbal authorization. The PCSA shall document the date and time the parent, guardian, or custodian and/or person responsible for an action step verbally authorized the implementation of a safety plan.~~

~~(L) If the parent, guardian, custodian or person responsible for an action step is unable to sign the safety plan within twenty four hours of the verbal authorization, a justification to extend the time frame for five working days pursuant to rule 5101:2-36-11 of the Administrative Code shall be documented in the case record.~~

~~(1) Only one extension may be granted.~~

~~(2) If the signature of the parent, guardian, custodian or person responsible for an action step is not obtained by the expiration of the extension, the safety plan shall be discontinued and other safety interventions implemented.~~

~~(3) Documentation of the attempts to obtain the signature of the parent, guardian, custodian and person responsible for an action step shall be recorded in the case record.~~

~~(M)~~(I) The PCSA shall implement alternative safety interventions if a parent, guardian, or custodian or responsible person is unwilling to sign the JFS 01409.

~~(N)~~(J) The PCSA shall monitor safety plans to ensure the action steps are controlling the identified safety threats. The monitoring plan requires the following:

(1) To monitor an in-home safety plan, the PCSA shall conduct weekly home visits. During the home visits, the PCSA shall make face-to-face contact with each

child identified on the safety plan and each, parent, guardian, or custodian ~~involved~~residing in the home.

(2) To monitor an out-of-home safety plan, the PCSA shall have weekly contact with the children or persons responsible for an action step either by telephone or face-to-face. The PCSA shall have face-to-face contact with each child, parent, guardian, or custodian involved every other week.

~~(3) To monitor a legally authorized out-of-home placement safety plan where custody has been given to the PCSA or a relative or kin, the PCSA shall have face-to-face contact with the child, parent, guardian, custodian or caretaker residing in the home of the alleged child victim pursuant to rule 5101:2-38-05 or 5101:2-42-65 of the Administrative Code.~~

~~(K)~~(K) If the PCSA determines a safety threat is no longer active or is being controlled through the family's protective capacities and the child is no longer in immediate danger of serious harm, the JFS 01409 shall be discontinued. The PCSA shall notify the parent, guardian, or custodian and each responsible party in writing within ~~one~~two working ~~day~~days of the discontinuation of the JFS 01409.

~~(L)~~(L) If the JFS 01409 is modified, the signature of all participants on the modified JFS 01409 prior to its implementation shall serve as notification.

~~(M)~~(M) The PCSA shall not close a case if a JFS 01409 is an active safety plan exists.

~~(N)~~(N) The PCSA shall maintain a copy of the JFS 01409 in the case record and record the JFS 01409 in SACWIS within three working days from the date the first signature is obtained.

(O) If after the assessment of safety the safety response is to implement a legally authorized out-of-home placement, the PCSA shall contact law enforcement and/or remove the child pursuant to rule 5101:2-39-01 of the Administrative Code. Completion of the JFS 01409 is not required for a legally authorized out-of-home placement safety response.

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