

5101:2-42-89 **Death of a child in custody.**

- (A) Each PCSA public children services agency (PCSA) or PCPA private child placing agency (PCPA) shall have written policies and procedures regarding actions to be taken when a child in its custody dies. The policy and procedures shall include the following:
- (1) The caregiver shall contact the PCSA or PCPA immediately following the death of a child in care.
 - (2) For a child in temporary custody, the PCSA or PCPA shall contact the parent, guardian, or custodian upon the PCSA's or PCPA's knowledge of the child's death.
 - (3) PCSA or PCPA policy and procedures may also allow for contact with the parent, guardian, custodian, or other relatives of a child in permanent custody.
 - (4) The PCSA or PCPA shall notify the court and law enforcement agency with jurisdiction upon its knowledge of the child's death.
- (B) For those children in permanent custody, the PCSA or PCPA ~~agency~~ shall be responsible for funeral arrangements, including exploring all available financial resources for funeral expenses.
- (C) For those children in temporary custody, the PCSA or PCPA shall assist the family in planning funeral arrangements if so requested. The PCSA or PCPA shall not be prohibited from assisting the family with the financial cost of the funeral arrangements if such costs pose a financial hardship to the family and funds are available for such purposes within the PCSA or PCPA.
- (D) When the death of a child is the result of suspected child abuse or neglect, the PCSA shall follow procedures set forth in its "Memorandum of Understanding" pursuant to section 2151.421 of the Revised Code ~~approved "Child Abuse and Neglect county plan of cooperation," prepared pursuant to rule 5101:2-34-72 of the Administrative Code and approved by ODHS.~~
- (E) Documentation regarding the provision of notices as required by this rule shall be maintained in the child's case record.

Effective:

R.C. 119.032 review dates: 10/2/2002

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5103.03, 5153.16
Rule Amplifies: 5103.03, 5153.16
Prior Effective Dates: 9/28/87, 1/1/89, 1/1/90