

31. Services to injured, critically ill or terminally ill children

There may be occasions when a child in the care or custody of child welfare is critically injured or has a critical or terminal illness. In any of these circumstances, thoughtful, sensitive and thorough casework practice is critical. The caseworker should be in frequent contact and consult with his or her supervisor for case review and support.

Procedure

- When the child has a terminal illness
 1. As with any serious illness, thoughtful, thorough and sensitive caregiving and placement decisions must be made when a child is terminally ill.
 2. Consider having parents, attorneys or the CASA participate in medical appointments.
 3. Modify the visit and contact plan to expand child and parent contact whenever possible.
 4. The child's biological parents and physician must make the decision for a Do Not Resuscitate (DNR) order. The decision must be made in consultation with the department's staff, the child's CASA, attorneys involved in the case, and substitute caregivers whenever appropriate.
 5. Provide notification to the juvenile court when such a decision has been made.
 6. Convene a family meeting to develop an ongoing support system for family members and individuals involved in caring for the child.
 7. Be aware that all those involved with the child will experience the grieving process.
 8. Work with medical social work staff, a family therapist, grief counselor or hospice services to plan for the activities at the time of death including notification, funeral and burial or cremation arrangements, personal belongings, removal of medical equipment if the child was in a substitute caregiver's home, and medical records.
- Placement considerations
 1. Convene a family meeting including the child (whenever appropriate), the child's legal parents, medical providers, substitute caregivers (if other than the parents), CASA, attorneys involved in the case, and the supervisor.
 - a. Consider placement options during this critical period of care. The placement decision may require legal assistance through the juvenile court. Placement options for consideration include the legal parents/guardians, relative caregiver, other certified caregiver, a child caring agency or facility, or hospitalization.
 2. Assess the needs of the child
 - a. Assess the capacity of the prospective substitute caregiver's ability to meet the required level of care and any medical interventions necessary to ensure the safety of the child.

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- b. Follow the procedures for requesting a nursing assessment. After the assessment is completed the registered nurse and the caseworker can recommend a personal care and/or special rate payment as a part of the process of assisting the substitute caregiver in meeting the child's special needs.
 - c. If a child's medical care needs require nursing care, the delegated nursing procedures must be taught to the substitute caregiver, and the substitute caregiver must be able to administer delegated nursing procedures prior to placement.
 - d. If the child is placed in a nursing home, the department is not responsible for ensuring nursing procedures have been delegated to nursing home staff.
 3. Develop agreements and procedures for sharing medical reports and other critical information, care plans, discharge planning and procedures with all persons involved in the case.
 4. Consider having parents, attorneys or the CASA participate in medical appointments.
 5. Consider modification of the visit and contact plan to expand child and parent contact.
- Advance planning for the death of a terminally ill child
 1. Inform the substitute caregiver, in advance, what to expect and do when the child dies.
 2. Instruct the substitute caregiver to:
 - a. Contact local emergency personnel by calling 911;
 - b. Contact the local office, which will contact the child's caseworker, supervisor, child welfare program manager and district manager; and
 - c. Not move the child's body, not bathe the child's body or otherwise change the environment (the child's clothes or the location of the body) where the child died.
 3. Inform the substitute caregiver that emergency personnel arriving at the substitute caregiver's home may include the local fire department, EMTs, law enforcement and medical examiner.
 - a. The substitute caregiver notifies the emergency personnel of their certification as a relative caregiver or foster parent and requests:
 - The police report be marked Confidential, and
 - The medical examiner's report be marked Confidential, and/or that the substitute caregiver's name and address not be included in the report. (The request for confidential reports is made to ensure the safety, privacy and confidentiality of the substitute caregiver and other children for whom they may be providing care. Emergency response records can be open to the public or posted in local newspapers.)
 4. Inform the substitute caregiver that emergency personnel will:
 - a. View and examine the body of the child at the location where the child died;
 - b. Ask questions of the substitute caregivers that may include requesting information on the child's medical condition and history, recent events that may have

- occurred, the child's eating and sleeping habits, routines and past behaviors, and names of all persons living in the home; and
- c. Direct the removal of the child's body to the local morgue where an autopsy may be performed.
5. Have face-to-face contact with the substitute caregiver as soon as is reasonably possible to provide support, answer questions and link the family to grief counseling.
- Unexpected death of a child
 1. Follow the above procedures.
 - Actions taken at the time of a child's death
 1. The child welfare program manager will consult and coordinate with the caseworker and the supervisor regarding the notification of the legal parents or guardians, the child's siblings, relatives and other significant individuals including the CASA, attorneys, and Juvenile Court.
 2. Prepare a sensitive issue report (DHS 150) and send it to the CAF central office.
 3. Implement the pre-arranged plans for grief counseling and support.
 - Funeral and burial arrangements
 1. Authority over a child in the care or custody of the department is subordinate to the legal parents' or guardians' authority at the time of a child's death. The parents have the right to determine the funeral and burial arrangements. The caseworker should be especially sensitive to the cultural beliefs, traditions and practices of the family at this time, and ensure the wishes of the family are honored and supported.
 2. The child's legal family should assume responsibility for the funeral and burial expenses. When the family is unable to assume these costs, or if the child is in the permanent custody of the department, the agency will cover costs of the funeral and burial. When the department covers these costs, both the child's family and the substitute caregiver will be included in the decision-making process to the extent this is possible.
 3. The department covers funeral and burial costs not to exceed \$1,500. The district manager or his or her designee may approve an exception up to a total of \$2,500. Make the payment through an Administrative Expense Voucher (CF 294).
 - Caring for yourself and others
 1. Encourage the parents and substitute caregivers to find and participate in a support system of family members, relatives, friends, their faith community or crisis counselors. The local hospital or mental health provider may be able to provide the caseworker with information regarding locally available grief counselors. The Dougy Center (www.dougy.org) also may be a resource for grief support groups for families and children.
 2. The caseworker also may choose to use the Employee Assistance Program.

The Supervisor's Role

- Provide guidance and support to the caseworker for case management, approvals and notifications.
- Support the caseworker and encourage EAP when appropriate.

Forms and references

Legal references

- I-E.5.3. Funeral and Burial Expenses
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e53.htm
- I-E.3. Placement Expectations
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e53.htm
- III-A.1.2 Reporting Sensitive Child Welfare Issues
http://www.dhs.state.or.us/policy/childwelfare/manual_3/iii-a12.htm

Forms

- DHS 150
<http://dhsforms.hr.state.or.us/forms/databases/FMPRO>
- CF 294
<http://dhsforms.hr.state.or.us/forms/databases/FMPRO>