



**Department of Human Services
CHILDREN, ADULTS & FAMILIES
CLIENT SERVICES MANUAL I**

ISSUED BY: Office of Self-Sufficiency and Child Safety

EFFECTIVE DATE: Temporary Rule Effective October 1, 2002 Expires March 18, 2003

NUMBER: I-B.2.1
OAR: 413-020-0300 / 0395

SECTION: B. Case Management

SUBSECTION: 2. Eligibility for Services

SUBJECT: 1. Screening - **Temporary** Oregon Administrative Rule

Responsible Manager: CPS Manager,

Approval: _____

Interpretation: CPS Manager,

Assistant Administrator,
Office of Self-Sufficiency and
Child Safety

REFERENCES:

- ORS 419B.005 - 419B.045
- ORS 109.610
- ORS 109.640
- ORS 109.112
- SOSCF Policy I-B.2.2, "CPS Assessment"
- SOSCF Policy I-B.2.3.1, "Preventive Restorative Eligibility"
- SOSCF Policy I-B.2.3.2, "Protective Service Eligibility"
- SOSCF Policy I-B.2.3.3, "Substitute Care Eligibility"
- Attachment A, Screening Guidelines
- Attachment A-1, Threat of Harm
- Attachment A-2, Immediate Response
- Attachment A-3, Close at Screening
- Attachment A-4, Report Credibility
- FACIS 307

PURPOSE

413-020-0300(1) These rules define the minimum expectations for opening a referral for assessment and determining eligibility for service. These rules are to be used with the SOSCF Protective Service Eligibility Policy, I-B.2.3.2, the Preventive Restorative Eligibility Policy, I-B.2.3.1, and/or Substitute Care Eligibility Policy, I-B.2.3.3, and the CPS Assessment Policy, I-B.2.2.

(2) The "Screening Guidelines", a format to assist SOSCF staff in the process of information gathering and decision making, are included as Attachment A.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

SCREENING

413-020-0310 (1) Screening is the process by which SOSCF receives referrals, assesses whether the referral is a report of child abuse/neglect, and determines the agency response and the urgency of that response. (For definition of emergency and non-emergency reports, refer to SOSCF CPS Assessment Policy, # I-B.2.2.) Screening also involves determining eligibility for SOSCF services, and may initiate an assessment.

(2) If screening indicates that a family is appropriate for SOSCF services, the referral is assigned for assessment in the appropriate SOSCF program (Child Protective Services, Preventive/Restorative Services, and/or Substitute Care).

(3) If a family is not eligible for SOSCF services after screening, the referral is closed and referred to community resources, if appropriate.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

SOURCE OF REFERRAL OR REQUEST

413-020-0320 Services for a child or family may be initiated in a variety of ways:

(1) A child or family requests services;

(2) A community agency, an acquaintance or relative requests service on behalf of a family;

(3) A person reports suspected child abuse or neglect;

(4) Another county or state requests services;

(5) A juvenile court orders or requests services;

(6) SOSCF receives a report from law enforcement that a child is at risk of abuse or neglect.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

REFERRAL COURTESY

413-020-0330 (1) The screener is most frequently the first point of contact the

community has with SOSCF. It is important that the referent be treated with respect. This includes, but is not limited to: listening carefully to what the referent has to say; helping the referent through the task of reporting child maltreatment or requesting services; giving the referent clear feedback about what will happen next. If the information provided does not meet eligibility requirements, the screener may refer the caller to other community agencies or help with problem solving;

(2) Branches shall have protocols in place to accommodate referents with special needs e.g. disabilities or language barrier as per the American Civil Liberties Act and Title VI of the Civil Rights Act.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

SCREENING ACTIVITIES

413-020-0335 A screening of all referrals, requests for service or reports of suspected abuse, shall be made to determine if the child/family is eligible for service from SOSCF. The screener begins this determination process by gathering and recording information including, but not limited to:

(1) Interview the referring party and determine the legal jurisdiction of the family's place of residence as well as the area in which a reported crime may have occurred. Obtain information to complete the FACIS Document. The "Screening Guidelines" shall be used to guide the interview. (Attachment A.)

(2) Research previous history. This should be done by reviewing IIS/Facis information and reviewing any previous case history recorded in the case record.

(3) Search other agencies' data screens, i.e., AFS and SED. This may provide essential family data and may assist the screener in determining other agencies' involvement with the child or family.

(4) Immediately notify LEA of a report of child abuse or neglect as per statute, ORS 419B.015, SOSCF CPS Assessment Policy, # I-B.2.2, and per established local Multi-Disciplinary Team agreement. DHS Child Welfare Office cross reporting responsibility: Within one hour of receiving a report of child abuse/neglect which requires an immediate response and all reports of abuse by a third party, a written report will be submitted to law enforcement in conjunction with a phone call. A written record of the written submittal, as well as the telephone contact, shall be maintained by DHS.

All reports other than third party child abuse/neglect and those requiring immediate response will be submitted in writing to law enforcement within three hours, or before the end of the business day, whichever occurs first. A written record of the written submittal shall be maintained by DHS.

The local DHS office will work with local MDT's and law enforcement agencies to implement a written agreement to assure tracking of reports sent and received by each other, as required by ORS 419B.015.

(5) Third Party Abuse: Third Party Abuse is defined as abuse by a person: who is not the child's parent; not the child's caregiver or other member of the child's household; or not responsible for the child's care, custody and control. Examples of persons who could be treated as third party abusers under this definition include but are not limited to: school personnel, day care providers, coaches, church personnel, etc.

A written report will be made to law enforcement within one hour of receipt if the information provided by the reporting party (even unverified) is a report of third party abuse. To the extent possible, this report will include the name and address of the victim, the name of the reporting party, the name (and address if possible) of the alleged abuser and a brief description of the incident and location, including when, where and what happened.

Subsequent reports on the same incident that contain new information shall be reported to law enforcement within one hour of receipt of said reports.

The local DHS child welfare office will implement written protocols that will prescribe the handing of reports of child abuse/neglect by individuals who are known as third party abusers.

The safety status of children will be determined by specific written protocols. These protocols shall include the following specific steps to be taken at screening, but shall not delay a report of third party abuse to law enforcement within one hour of the receipt of the report:

(a) Determine the safety status of the child victim(s).

(b) Identify and determine the safety status, if possible, of any children or siblings of the alleged abuser.

(c) Determine the alleged abuser's access to the victim and/or other children.

(d) Determine the need for DHS child welfare to conduct a child safety assessment on the child victim, siblings of the child victim, children or siblings of the alleged abuser, and other children to whom the alleged abuser may have access.

(e) Report this information to local law enforcement as a report of child abuse/neglect by a 3rd party.

The local DHS office will work with local MDT's and law enforcement agencies to implement a system that will assure tracking of reports sent and received by each other.

****Note: All reports of child abuse/neglect on open cases will be treated as new reports and these protocols will be followed.**

(6) Contact LEA, if appropriate, to obtain historical information, including domestic disturbance calls, arrests or temporary restraining orders.

(7) Make collateral calls suggested by the nature of the information reported. Possibilities may include, but not be limited to: the caretakers, schools, physicians, mental health professionals, corrections, AFS, OYA, etc.

(8) Immediately notify the Child Care Division, as per statute, if the report involves abuse or neglect in a registered day care home, or in a licensed day care center.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

SCREENING DETERMINATION & TIME LINES

413-020-0340 (1) Activities necessary to determine if a family is eligible and appropriate for services shall be undertaken without delay.

(2) Referrals should be screened for Protective Services eligibility and immediacy (refer to "Screening Guidelines", Attachment A) the day they are received.

(3) The screening determination results in the assignment for field assessment or closing after screening has occurred. This screening determination and the input of the

information into the system shall be completed within five (5) working days. For those cases that require more than five (5) days to make a screening determination, supervisory review and approval is required. The one time five (5) day extension shall be recorded in screening documentation.

(4) It is recommended that screening decisions be made by a team consisting of a supervisor, screener, CPS trained caseworkers, and members of the Multi-Disciplinary Team, if appropriate. Use of the "Screening Guidelines" (Attachment A) is advised.

(5) The screening determination shall be based on the following considerations:

(a) Is this a report of child abuse, neglect, or threat of harm as defined in ORS 419B.005 and SOSCF policy, #I-B.2.2, Protective Services Eligibility.

(b) Is there any immediate danger to the child(ren);

(c) What is the timing and type of response needed;

(d) Is this family eligible for a SOSCF program;

(e) Are special accommodations necessary to complete the assessment;

(f) If family is not eligible for an SOSCF program, will a referral be made to a community resource?

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-751, 419B.004-045, 109.610, 109.112

REQUESTS FROM MINORS

413-020-0350 (1) Services requested by minors cannot be provided without parental consent. However, the request may be reviewed.

(2) Statutory Exceptions: Even in the following exceptions, the worker shall attempt to obtain the minor's permission to talk to the parent(s) or guardian(s), and secure consent for the services requested:

(a) When a minor alleges child abuse (ORS 419B.005-419B.045);

(b) When a minor 12 years of age or older is seeking information, and/or

referral pertaining to diagnosis or treatment of any venereal disease (ORS 109.610);

(c) When a minor 15 years or older requests a referral directly to a physician or clinic for termination of a pregnancy (ORS 109.640);

(d) When a minor parent requests services in considering surrender of their parental rights for purposes of adoption (ORS 109.112);

(e) When a minor has been declared an emancipated minor.

(3) No Exception. The parent(s) or legal guardian shall be notified and given written approval in all cases prior to referring a pregnant unmarried minor under 15 years of age directly to a clinic or physician for termination of a pregnancy.

(See SOSCF policy, I-B.1.4, Guardian and Legal Custodial Consents.)

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-.751, 419B.005-.045, 109.610, 109.112, 109.640

REQUESTS FOR DIVORCE CUSTODY STUDIES

413-020-0360 SOSCF is not required to perform custody studies in divorce cases. However, under specific circumstances, the local office, with approval of the branch manager, may complete a custody study.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-.751, 419B.005-.045, 109.610, 109.112, 109.640

SPECIAL COMMITTEE GUIDELINES

413-020-0380 (1) A special committee to consider and exchange information will meet if a report is made of a child living in a situation with two or more of the following elements:

(a) Large number of unrelated children;

(b) Harsh control and discipline measures, including physical force and deprivation of food, sleep, rest, and freedom;

(c) Transfer of primary allegiance away from parent to leader;

- (d) Secrecy and preclusion of contact with non-members;
- (e) Use of intimidation to control members and distance the public;
- (f) A rigid hierarchy for members;
- (g) Noncompliance with civil laws and regulations;
- (h) Little or no participation in the educational system.

(2) The Assistant Field Administrator will convene the special committee. The committee will be chaired by the assistant administrator for Program Operations, and will include an Assistant Attorney General and the Assistant Field Administrator. Other members would be added according to the needs of each individual case, and would be drawn from the areas of an expert in cults, law enforcement, zoning authorities, the Health Division, SOSCF branch offices and administration, or other agencies that might be involved.

(3) This committee will staff the case, exchange information, and discuss options for future action. SOSCF decision-making authority for each case will remain in the branch.

(4) If further assessment is needed, either the full committee or a smaller subcommittee will follow-up and assist the branch. The committee will meet as often as needed to facilitate communication and action between involved agencies.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-.751, 419B.004-.045, 109.610, 109.112

DOCUMENTATION REQUIREMENTS

413-020-0390 (1) The screener shall immediately record identifying information on the FACIS 307 even if the determination of the status of the referral has not been made. Screening narrative information should be recorded in the section entitled: "Screener's Nature of Referral Information". If additional screening information is obtained after the screener has completed the screening narrative, that information will be recorded in the section entitled "Assessor's Nature of Referral Information".

(2) The screening determination results in the assignment for field assessment or closing after screening has occurred. This screening determination and the input of the information into the system shall be completed within five (5) working days. For those cases that require more than five (5) days to make a screening determination, supervisory review and approval is required. The one time five (5) day extension shall be recorded in screening documentation.

(3) When recording a referral using the FACIS system, the REFER designation shall be used when the caller is reporting an allegation of ABUSE, NEGLECT, AND/OR THREAT OF HARM as defined in ORS 419B.005 and in the SOSCF Protective

Services Eligibility policy, I-B.2.3.2, and the family identity is known. This information is to be recorded as a "referral" regardless of whether or not a field assessment is conducted as a result of the referral.

(a) The LOG designation should be used for other kinds of information reported to SOSCF and important for retention. Examples are: if the allegation is abuse, neglect, or threat of harm and there is not enough information reported to identify the child/family; if the report does not constitute abuse, and the branch believes it is appropriate to retain the information for future reference and/ or decision making; or if the information was reported by a mandatory reporter and was believed to be a report of abuse by the reporter;

(b) LOG designation should not be used for information if the referral meets statutory or policy definitions of abuse, neglect, and/or threat of harm.

(4) Referrals from mandatory reporters must be entered into the FACIS system through either the LOG or REFER designations, as appropriate.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 418.746-.751, 419B.005-.045, 109.112, 109.610

SUPERVISOR REVIEW AND APPROVAL OF CHILD ABUSE/NEGLECT REPORTS

413-020-0395 (1) Designated supervisor initials time and date written on hard copy of screened-in report (307) that verifies initial screening is completed and level of response is indicated.

(2) A supervisor will review and initial log of reports sent to law enforcement twice per day (mid-day and end of day).

(3) Supervisory review and FACIS approval of all reports of child abuse/neglect will occur within three working days of completion of screening activities which identify a report be closed at screening or by noon on the following business day, if the third working day falls on a non-business day.

(4) Each local child welfare office may designate one specific individual who may at the direction of the child protective service supervisor enter verification of supervisory review and approval into FACIS.