

Lois A. Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature
Number: CW-PT-10-012

Issue Date: 11/15/2010

Topic: Protective Services

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: Administrative Rule
Modification

Applies to (check all that apply):

- All DHS employees
 County Mental Health Directors
 Area Agencies on Aging
 Health Services
 Children, Adults and Families
 Seniors and People with Disabilities
 County DD Program Managers
 Other (please specify): Child Welfare

Policy/Rule Title:	"Introduction to CPS Rules" and "Access to Law Enforcement Data System (LEDS) in local Child Welfare offices"		
Policy/Rule Number(s):	1-AB.1, 413-015-0100 through 0125 and 1-AB.6, 413-015-1100 through 1125	Release No:	
Effective Date:	November 15, 2010	Expiration:	
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab1.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab6.pdf		

Discussion/Interpretation:

The rules noted above have been effective as temporary rules since 06/15/2010. As of today, these rules are effective as permanent rules. The following is an explanation of why the rules were modified:

- 1-AB.1 has been modified to change the definition of safety service provider. The previous definition was "Safety service provider" means a participant in a Protective action or ongoing safety plan whose actions, assistance, or supervision help a family in managing a child's safety *or increasing the protective*

capacities of the child's parent or caregiver. The new modification removes the italicized portion as this is not an accurate statement about the role of these providers.

- 1-AB.6 has been modified to include safety service providers as subject individuals who may have LEADS checks run on them due to their access to children. Safety service providers were not yet a part of practice when this rule was originally created. While the definition of subject individual within the rule did address most safety services providers, it only addressed those providers that frequent the home where the child resides. The rule was changed to assure ALL safety service providers were covered. These modifications will cover the potential safety service providers not currently covered in the rule and will more clearly address the authority to conduct LEADS checks on all potential safety service providers.

Implementation/Transition Instructions: Please read the attached rule modifications to assure a clear understanding of practice expectations. If there is confusion about the modifications that have not been resolved in the last five months while the rule was temporary, please contact the CPS consultant from your area for consultation and support.

Training/Communication Plan: These rules have been reviewed by a rule advisory committee, policy council and field review groups prior to the permanent rule filing.

LEADS operators were notified via email, and at their phone conference were provided an opportunity for feedback. In addition, at a portion of the LEADS training facilitated by Deb Carnaghi, this modification was proposed and discussed.

Local/Branch Action Required: Review the modifications to the rules and comply with the rules as written.

Central Office Action Required: Review the modifications to the rules and comply with the rules as written. Respond to questions and provide clarification where necessary to assure consistency.

Field/Stakeholder review: Yes No

If yes, reviewed by: CASA, safety service providers, attorneys, field review groups and opportunities for review by all Child Welfare staff.

Filing Instructions:

If you have any questions about this policy, contact:

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