

Policy Title:	Monitoring Child Safety – OAR		
Policy Number:	I-B.1 413-080-0040 thru 0067		Effective Date: 12-29-2009

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

Definitions

References

Contact

History

Reference(s):

- Public Law 105-89, Adoption and Safe Families Act
- PL 95-608, Indian Child Welfare Act of 1978
- ORS 418.005
- I-B.1.1 Authority for Providing Services
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b11.pdf
- I-B.2.3.1 Family Support Services
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b231.pdf
- I-B.2.3.3 Substitute Care Eligibility
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b233.pdf
- I-B.3.1 Developing and Managing the Case Plan
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b31.pdf
- I-E.2.1 Placement of Indian Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e21.pdf
- I-E.3.1 Placement Matching
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e31.pdf
- I-E.5.1 Maintenance and Treatment Payments
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e51.pdf
- I-E.5.1.2 Personal Care Services
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e512.pdf
- II-B.1 Certification Standards for Relative Caregivers, Foster Parents, and Pre-Adoptive Parents
http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b1.pdf
- II-B.1.1 Department Responsibilities for Certification and Supervision of Relative Caregivers, Foster Parents, and Pre-Adoptive Parents
http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b11.pdf

Form(s) that apply:

- CF 172 PCSP Personal Care Services Plan
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0172PCSP.doc

- CF 803 – CANS Results (Ages 0 to 5)
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0803.doc
- CF 804 – CANS Results (Ages 6 to 20)
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0804.doc

Rules:

413-080-0040

Monitoring Child Safety

The purpose of these rules, OAR 413-080-0040 to 413-080-0067, is to describe the responsibilities of the Department in monitoring *child* and *young adult* safety and well-being.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0050

Definitions

The following definitions apply to OAR 413-080-0040 to 413-080-0067:

- (1) "CANS screening" means Child and Adolescent Needs and Strengths screening, a process of integrating information on a *child* or young adult's needs and strengths for the purposes of case planning, service planning, and determining the supervision needs of the *child* or *young adult*. The Department uses two versions of the CANS Comprehensive Screening Tool, one version for an individual birth through five years old and another version for an individual six through twenty years old.
- (2) "Certified family" means an individual or individuals who hold a current Certificate of Approval from the Department to operate a home to provide care, in the home in which they reside, to a *child* or *young adult* in the care or custody of the Department.
- (3) "Certifier" means a Child Welfare employee who conducts assessments of applicants interested in providing relative or foster care to a child in the care or custody of the Department, determines whether or not to recommend approval of the operation of a relative care or foster home, and monitors the compliance of a relative care or foster care home with Child Welfare certification rules.
- (4) "Child" means a person under 18 years of age.
- (5) "Contact" means any communication between a Child Welfare caseworker and a *child*, *parent* or legal guardian, *foster parent* or *relative caregiver*, *provider*, or other individual involved in a Child Welfare safety plan or case. *Contact* includes, but is not limited to, communication in person, by telephone, by video-conferencing, or in writing. *Contact* may occur, for instance, during a *face-to-face* visit; a treatment review meeting for a *child*, *young adult*, *parent*, or legal guardian; a court or Citizen Review Board hearing; or a family meeting.
- (6) "Department" means the Department of Human Services, Child Welfare.

- (7) "Face-to-face" means an in-person interaction between individuals.
- (8) "Foster parent" means a person who operates a home that has been approved by the Department to provide care for an unrelated *child* or *young adult* placed in the home by the Department.
- (9) "ICPC" means the Interstate Compact for the Placement of Children (see ORS 417.200).
- (10) "Ongoing safety plan" means a documented set of actions or interventions that manage a child's safety after the Department has identified one or more safety threats to which the *child* is vulnerable and determined the *parent* or caregiver is unable or unwilling to protect the *child*. An *ongoing safety plan* can be in-home or out-of-home and is adjusted when necessary to provide the least intrusive interventions.
- (11) "Parent" means the biological or adoptive mother or the legal father of the *child*. A legal father is a man who has adopted the *child* or whose paternity has been established or declared under ORS 109.070, ORS 416.400 to 416.465, or by a juvenile court. In cases involving an Indian *child* under the Indian Child Welfare Act (ICWA), a legal father includes a man who is a father under applicable tribal law. "Parent" also includes a putative father who has demonstrated a direct and significant commitment to the *child* by assuming or attempting to assume responsibilities normally associated with parenthood, unless a court finds that the putative father is not the legal father.
- (12) "Personal care services" means the provision of or assistance with those functional activities described in OAR 413-090-0120 consisting of mobility, transfers, repositioning, basic personal hygiene, toileting, bowel and bladder care, nutrition, medication management, and delegated nursing tasks that a *child* or *young adult* requires for his or her continued well-being.
- (13) "Personal care services plan" means a written plan to provide *personal care services* for the *child* or *young adult* documenting:
 - (a) The determination that the individual is a qualified provider;
 - (b) The frequency or intensity of each personal care service to be provided; and
 - (c) The date the *personal care services* begin.
- (14) "Protective capacity" means behavioral, cognitive, and emotional characteristics that can specifically and directly be associated with a person's ability and willingness to care for and keep a *child* safe.
- (15) "Provider" means a person approved by a licensed private child-caring agency to provide care for a *child* or *young adult*, or an employee of a licensed private child-caring agency approved to provide care for a *child* or *young adult*.
- (16) "Relative caregiver" means a person who operates a home that has been approved by the Department to provide care for a related *child* or *young adult* who is placed in the home by the Department.
- (17) "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.

- (18) "Safety services" means the actions, assistance, and supervision provided by safety service providers to manage the identified safety threats to a *child*.
- (19) "Safety threat" means family behavior, conditions, or circumstances that may result in harm to a *child*.
- (20) "Screener" means a Child Welfare employee with training required to provide screening services.
- (21) "Substitute care" means the out-of-home placement of a *child* or *young adult* who is in the legal or physical custody and care of the Department.
- (22) "Young adult" means a person aged 18 through 20 years who remains in the care and custody of the Department, and lives in *substitute care* or lives independently through the Department's Independent Living Subsidy Program.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0052

Mandatory Reporting of a New Safety Threat on an Open Case

When a caseworker identifies a new or unscreened *safety threat* in an open case, the caseworker must ---

- (1) Immediately report the information regarding the *safety threat* to a *screener*, and
- (2) Consult with the caseworker's supervisor to determine any immediate protective action required to assure the safety of the *child*.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0055

Monitoring Child Safety with an In-home Ongoing Safety Plan

- (1) To manage an in-home *ongoing safety plan* and monitor the child's safety when the *child* is in the home of the *parent* or legal guardian, the assigned caseworker must *contact* the following individuals, as described below:
 - (a) The caseworker must have *contact* with the following individuals a minimum of once every 30 days:
 - (A) *Face-to-face contact* with the *child*;
 - (B) *Face-to-face contact* with the child's parents or legal guardians in the home of the parents or legal guardians; and
 - (C) *Contact* with each participant in the *ongoing safety plan*.
 - (b) The caseworker must also have *face-to-face contact* with the *child* and the child's

parents or legal guardians within five working days of learning any of the following:

- (A) A *parent* or legal guardian has violated a condition of the *ongoing safety plan*.
- (B) A change in the *protective capacity* of a *parent* or legal guardian may negatively impact the *ongoing safety plan*.
- (C) A change in the family circumstances may negatively impact the *ongoing safety plan*.
- (D) A change in the composition of the household may negatively impact the *ongoing safety plan*.
- (E) The caseworker is assigned a case that had been assigned to another caseworker (case transfer).

(2) To monitor the safety of the *child*, during each *contact* with a *child*, *parent*, or legal guardian required by section (1) of this rule, the caseworker must complete each of the following:

- (a) Look for and assess any changes in the *protective capacity* of parents or legal guardians and changes in the ability or willingness of a *parent* or legal guardian to keep the *child* safe.
- (b) Have a conversation with a verbal *child* or *young adult*.
- (c) Assess whether the *ongoing safety plan* keeps the *child* safe by determining:
 - (A) Whether the home environment is stable enough for safety service providers to be in the home and be safe; and
 - (B) Whether the *parent* or legal guardian states that he or she is:
 - (i) Agreeable to the services in the *ongoing safety plan*;
 - (ii) Cooperating in services provided as prescribed by the *ongoing safety plan*;
 - (iii) Cooperating with all participants in the *ongoing safety plan*;
 - (iv) Participating in the actions and the time requirements of the *ongoing safety plan*; and
 - (v) Meeting the expectations detailed in the *ongoing safety plan*.
- (d) Determine whether:
 - (A) The condition of the *child* is satisfactory; and
 - (B) Safety threats to the *child* are managed.

- (e) Immediately notify his or her supervisor if he or she determines, during a *contact* with the *child*, *parent*, or legal guardian, that the in-home *ongoing safety plan* is insufficient to assure the safety of the *child*, to determine if any immediate protective action is necessary to assure the child's safety.
- (3) Through *contact* with the participants in the *ongoing safety plan*, required by section (1) of this rule, the caseworker must determine whether:
- (a) Participants in the *ongoing safety plan* are engaged and active in the safety activities;
 - (b) The parents or legal guardians are cooperating with the *safety services* prescribed by the *ongoing safety plan*;
 - (c) The safety service providers are engaged with the parents or legal guardians;
 - (d) The safety service providers have fulfilled their established responsibilities in the *ongoing safety plan*;
 - (e) The level of intervention assures the ongoing safety of the *child*; and
 - (f) The services are the least intrusive available to assure the child's safety.
- (4) Whenever a participant in the *ongoing safety plan* or a *safety service provider* reports information indicating that there is a new *safety threat*, the caseworker must determine whether the information has been reported to a *screeener*. If the information has not been reported, the caseworker must:
- (a) Immediately report the information to a *screeener*, and
 - (b) Consult with his or her supervisor to determine whether an immediate protective action is required to assure the child's safety.
- (5) The caseworker must determine whether:
- (a) Behaviors, conditions, or circumstances within the family require an increase in the level of safety intervention;
 - (b) A less intrusive *ongoing safety plan* can assure the safety of the *child*; or
 - (c) The *ongoing safety plan* is keeping the *child* safe and provides the appropriate level of safety intervention.
- (6) If the caseworker determines the level of intervention of the in-home *ongoing safety plan* must be revised, the caseworker must:
- (a) Reduce the level of intervention whenever --
 - (A) The improved *protective capacity* of the *parent* or legal guardian is sufficient to impact his or her ability to control safety threats as they are occurring within the family; and

- (B) A *safety threat* can be managed with less intrusive actions or services.
 - (b) Increase the level of intervention whenever --
 - (A) A *parent* or legal guardian is unable or unwilling to control the safety threats to the *child* as they are occurring within the family with the *ongoing safety plan*; or
 - (B) Any identified *safety threat* cannot be managed with the current *ongoing safety plan*.
 - (c) When the assessment of the behaviors, conditions, or circumstances occurring within the family results in a determination to revise the *ongoing safety plan*, the revised *ongoing safety plan* must comply with the criteria of OAR 413-015-0450(2)(d)(A) - (H).
 - (d) The revised *ongoing safety plan* must be approved by the caseworker's supervisor.
- (7) The caseworker must document in the Department's information system:
- (a) The date, type, and location of each *contact* with the *child*, parents, or legal guardians;
 - (b) The date and type of each *contact* with each participant in the in-home *ongoing safety plan*;
 - (c) Observations and condition of the *child* during the home visit;
 - (d) Observations and condition of each *parent* or legal guardian during the home visit;
 - (e) Changes in the ability of each *parent* or legal guardian to parent and provide protective care;
 - (f) Observations or reports from *ongoing safety plan* participants and service providers;
 - (g) How the *ongoing safety plan* continues to manage the safety threats as they are occurring within the family, or any revised *ongoing safety plan* and the facts supporting that revision;
 - (h) How any revision in the *ongoing safety plan* is the most suitable, least intrusive action available; and
 - (i) Any immediate protective action if required to assure the safety of the *child*.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0059

Monitoring the Safety and Well-Being of the Child or Young Adult in Substitute Care

- (1) To monitor the safety and well-being of the *child* or *young adult* in *substitute care*, the caseworker must make the following contacts:
 - (a) *Face-to-face contact* with the *child* or *young adult* every 30 days;
 - (b) *Contact* with the *certified family* or *provider* every 30 days; and
 - (c) *Face-to-face contact* with the *certified family* or *provider* in the home or facility a minimum of once every 60 days. The *face-to-face contact* must include at least one of the certified adults or providers who provide direct care for the *child* or *young adult*.

- (2) The caseworker must monitor and assess the *child* or young adult's safety and well-being while in *substitute care* with a *certified family*.
 - (a) Within each 30-day period, the caseworker must complete all of the following activities:
 - (A) Assess the *child* or young adult's perceptions of safety and well-being through a conversation with a verbal *child* or *young adult*.
 - (B) Assess the *child* or young adult's progress in and adjustment to the placement.
 - (C) Ensure the *certified family* is meeting the *child* or young adult's supervision needs, and, when the *child* or *young adult* is receiving a level of care, ensure the supervision described in the supervision plan is meeting the *child* or young adult's supervision needs identified in the *CANS screening*.
 - (D) Ensure the *child* or *young adult* is receiving the *personal care services* described in the *personal care services plan*, and, when the *child* or *young adult* has a *personal care services plan*, ensure the services described in the *personal care services plan* are meeting the *child* or young adult's identified need for *personal care services*.
 - (E) Ask the *certified family* about the *child* or young adult's safety and well-being.
 - (F) Assess the safety and well-being of the *child* or *young adult* in the home by determining whether:
 - (i) The *child* or *young adult* is comfortable and the environment of the home is supportive and safe.
 - (ii) Adults in the home take an active role in caring for and supervising the *child* or *young adult* in the home.
 - (iii) Adult members of the *certified family* possess the physical, emotional, and cognitive capacity to sufficiently care for the *child* or

young adult.

- (iv) Members of the *certified family* and the *child* or *young adult* have formal and informal *contact* with others in the community.
 - (v) The *child* or *young adult* is accepted as part of the household.
 - (vi) The *certified family* understands and is attentive to the vulnerability and need to protect the *child* or *young adult*.
 - (vii) The *certified family* is amenable to Department oversight and willing to partner with the Department.
 - (viii) When the *child* or *young adult* is placed with a *relative caregiver*, the *child* or *young adult's* parents and other family members understand the role of the *relative caregiver* in managing the *child* or *young adult's* safety.
 - (ix) The *child* has a sufficiently positive relationship with the certified family's own children who live in the home.
 - (x) The *certified family* is caring for children matching the preferences and experience of the family.
 - (xi) The interactions between the *child* or *young adult* and other children placed in the home are sufficient to assure safety.
 - (xii) The present demands of the home do not exceed the ability of the *certified family* to provide safe and protective care.
- (G) Document the date, time, location, and observations of the conditions that exist in the home in the Department's information system.
- (b) If one or more of the conditions described in paragraph (a)(F) of this section do not exist in the home, and the caseworker cannot confirm safety and well-being of the *child* or *young adult* in the home of the *certified family*, the caseworker must--
- (A) Assess *child* safety immediately and determine if there is a *safety threat* as described in OAR 413-015-0420(1)(f)(A)(i) and (ii).
 - (B) If a *safety threat* is identified, immediately:
 - (i) Consult with the caseworker's supervisor to determine if an immediate protective action is required to assure the child's safety or if any action is required to assure the safety of the *young adult*; and
 - (ii) *Contact* a CPS screener and report the identified *safety threat* to the *child*.
 - (C) Document the behaviors, conditions, or circumstances observed in the

home and any immediate protective actions in the Department's information system.

- (c) When the *child* or *young adult* is currently safe in the home, but the conditions described in this rule or Child Welfare Policy II-B.1, "Certification Standards for Foster Parents, Relative Caregivers, and Pre-Adoptive Parents" OAR 413-200-0301 to 413-200-0396 are not fully met, the caseworker must:
 - (A) Notify the *certifier* or certifier's supervisor of the behaviors, conditions, or circumstances observed in the home and document the information in the Department's information system within one business day.
 - (B) The caseworker must have *face-to-face contact* with the *certified family* within the next 30 days and the visit must occur in the home. The caseworker must observe the behaviors, conditions, or circumstances of the *certified family*, the *child* or *young adult*, and other children or young adults in the home, and conditions in the home.
 - (i) When the caseworker can confirm that current conditions in the home provide safety and well-being for the *child* or *young adult*, the caseworker must:
 - (I) Notify the *certifier* of the improved behaviors, conditions, or circumstances in the home; and
 - (II) Document the date, time, location, and observations of the condition of the environment in the Department's information system.
 - (ii) When the caseworker cannot confirm that current conditions in the home provide safety and well-being for the *child* or *young adult*, but after completing the actions required in subsection (2)(b) decides not to remove the *child* or *young adult* from the home, the caseworker must consult with the supervisor to determine whether to recommend to the *certifier* additional services or supports to assist the *certified family*.
- (3) The caseworker must monitor and assess the *child* or young adult's safety and well-being in a *provider* placement.
 - (a) Every 30 days the caseworker must:
 - (A) Assess the *child* or young adult's progress in and adjustment to the placement;
 - (B) Assess the *child* or young adult's perception of safety and well-being through a conversation with a verbal *child* or *young adult*;
 - (C) Ask the *provider* about the *child* or young adult's safety and well-being;
 - (D) Assess the safety of the *child* or *young adult* in the home or facility by determining whether:

- (i) The *child* or *young adult* is comfortable and the environment is supportive and safe.
 - (ii) Providers take an active role in caring for and supervising the *child* or *young adult*.
 - (iii) Providers possess the physical, emotional, and cognitive capacity to sufficiently care for the *child* or *young adult*.
 - (iv) The *child* or *young adult* has formal and informal *contact* with others in the community.
 - (v) The *child* or *young adult* is accepted as part of the household or facility.
 - (vi) The *provider* understands and is attentive to the vulnerability of the *child* or *young adult* and need to protect the *child* or *young adult*.
 - (vii) The *provider* is amenable to Department oversight and willing to partner with the Department.
 - (viii) The *child* or *young adult* has a sufficiently positive relationship with other children in the home or facility of the *provider*.
 - (ix) The *provider* is caring for children matching the preferences and experience of the *provider*.
 - (x) The interactions between the *child* or *young adult* and other children placed in the home or facility are sufficient to assure safety.
 - (xi) The present demands of the home or facility do not exceed the ability of the *provider* to provide safe and protective care.
- (E) Document the date, time, location, and observations of the condition of the environment in the Department's information system.
- (b) If one or more of the conditions described in paragraph (a)(D) of this section do not exist in the home or facility, and the caseworker cannot confirm safety and well-being of the *child* or *young adult*, the caseworker must:
- (A) Assess *child* safety immediately and determine if there is a *safety threat* as described in OAR 413-015-0420(1)(f)(A)(i) and (ii).
 - (B) If a *safety threat* is identified, immediately:
 - (i) Consult with the caseworker's supervisor to determine if an immediate protective action is required to assure the child's safety or if any action is required to assure the safety of the *young adult*, and

- (ii) *Contact* a CPS screener and report the identified *safety threat* to the *child*.
 - (C) Document the behaviors, conditions, or circumstances observed in the home or facility and any immediate actions in the Department's information system.
- (c) If the caseworker does not identify a *safety threat* but the conditions described in paragraph (a)(D) of this section are not fully met, the caseworker must complete the following activities:
- (A) *Contact* the child-caring agency's management and the Department's Child Caring Agency Licensing Program to report the conditions in the home or facility and request additional supportive resources for the *provider*.
 - (B) Document the *contact* required in paragraph (A) of this subsection in the Department's information system.
 - (C) Have *face-to-face contact* with the *provider* within the next 30 days in the home or facility of the *provider*, and:
 - (i) Observe the actions and behaviors of the *provider*, the *child* or *young adult*, and other children in the home or facility, and conditions in the home or facility.
 - (ii) Confirm that current conditions in the home or facility provide safety and well-being for the *child* or *young adult*.
 - (iii) *Contact* the child-caring agency's management and the Residential Treatment and Licensing Unit to report how the behaviors, conditions, or circumstances in the home or facility provide safety and well-being for the *child* or *young adult*.
 - (D) After the *contact* required in paragraph (C) of this subsection, when the caseworker cannot confirm that current behaviors, conditions, or circumstances in the home or facility provide safety and well-being for the *child* or *young adult*, the caseworker must consult with the supervisor to determine:
 - (i) Whether an immediate protective action is required to assure the child's safety or any other action is required to assure the safety of the *young adult*; or
 - (ii) Whether consultation with the child-caring agency's management is necessary to determine what additional support is necessary to assure the safety of the *child* or *young adult* in the home or facility of the *provider*.
 - (E) After the actions required in paragraph (D) of this subsection, the caseworker or caseworker's supervisor must *contact* the Residential Treatment and Licensing Unit. The caseworker must report the date, time,

location, observations of the conditions of the home or facility, and any actions taken by the caseworker during or after the visit.

- (F) Document the date, time, location, observations of the condition of the home or facility, and any actions in the Department's information system.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0063

Additional Documentation Required when a Child or Young Adult is Placed in Oregon through ICPC

- (1) When the *child* or *young adult* is placed in Oregon from another state through the ICPC, the caseworker must:
 - (a) Monitor the safety and well-being of the *child* or *young adult* as required by OAR 413-080-0058 and 413-080-0059; and
 - (b) Submit a written report to Oregon's central office ICPC staff every 90 days that must include:
 - (A) Dates, times, and locations of all contacts in the previous 90 day period; and
 - (B) The caseworker's observations of the *child* or *young adult*, the *parent* or legal guardian, the *certified family* or *provider*, and the conditions in the home or facility; and
 - (C) The caseworker's assessment of the safety and well-being of the *child* or *young adult*.
- (2) If the caseworker determines that one or more of the conditions identified in OAR 413-080-0058 or 413-080-0059 to assess safety and well-being have not been met, the caseworker must submit a written report to Oregon's central office ICPC staff. The report must include:
 - (a) Dates, times, and locations of all contacts that have occurred since the previous 90-day report was submitted;
 - (b) The caseworker's observations of the *child* or *young adult*, the *parent* or legal guardian, the *certified family* or *provider*, and the conditions in the home or facility; and
 - (c) The caseworker's assessment of the safety and well-being of the *child* or *young adult* and any actions taken as a result of that assessment.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-080-0067

Contact Requirements and Exceptions; Required Face-to-Face Contact

- (1) The caseworker may make scheduled or unscheduled *face-to-face* contacts with the

child or young adult, parent, legal guardian, certified family or provider.

- (2) The caseworker's supervisor may approve and designate a Child Welfare supervisor, the Child Welfare program manager, or another caseworker to make the *contact* required by these rules (OAR 413-080-0040 to 413-080-0067) when a caseworker's schedule or special circumstances prevent the caseworker from making the *contact*.
 - (a) Prior to arranging the required *face-to-face contact*, the designee must have information regarding the *ongoing safety plan*, the parents or legal guardians, and the *child or young adult*, including any special needs of the *child or young adult*.
 - (b) The staff person making the *contact* is responsible for assessing the safety of the *child or young adult* and completing the *contact* requirements set forth in these rules (OAR 413-080-0040 to 413-080-0067).
- (3) The caseworker's supervisor or the Child Welfare program manager may approve an exception to the requirement of caseworker *face-to-face contact* with the *child or young adult, parent, legal guardian, foster parent, relative caregiver, or provider* when:
 - (a) The safety and well-being of the *child or young adult* has been confirmed by another responsible adult who has *face-to-face contact* with the *child or young adult* and confirms the *child or young adult* is safe, without a *face-to-face contact* by the caseworker.
 - (b) Approval for the exception is documented in the case file, including:
 - (A) The reason for approval of the exception;
 - (B) The length of time the exception is in effect, which shall be no longer than 90 days unless the caseworker obtains the approval of the Child Welfare program manager or designee (for purposes of this section, "designee" means a person under the direct and immediate supervision, or a person equal or higher in management position and responsibility to the designator); and
 - (C) The supervisor or Child Welfare program manager's determination that the *child or young adult* is safe without the required *face-to-face contact*.
 - (c) Reasons for granting an exception to the *face-to-face contact* requirements include but are not limited to:
 - (A) The *child or young adult* is unavailable.
 - (B) The *child or young adult* has been placed in a planned permanent living arrangement that has been approved by the court (an exception may be allowed, if appropriate, for *face-to-face* caseworker *contact* every 90 days with the *child or young adult* and the *relative caregiver, foster parent, or provider*).
 - (C) The *child or young adult* has been placed in residential care (an exception may be allowed, if appropriate, for *face-to-face* caseworker *contact* with

the *child* or *young adult* every 60 days).

- (D) The *parent* or legal guardian of the *child* or *young adult* is unavailable.
- (E) A *parent* or legal guardian of the *child* or *young adult* presents a safety risk to the caseworker or Department staff, which has been documented in the case file.
- (F) A *young adult* is receiving only Independent Living Services. (An exception may be allowed, when appropriate, for *face-to-face contact* every 60 days. *Face-to-face contact* with a *young adult* confirms the appropriateness of services, not safety.)
- (G) A *child* or *young adult* is placed in another state through the ICPC. The *child* or *young adult's* caseworker must request that officials from the receiving state have *face-to-face contact* with the *child* a minimum of once every 30 days to monitor *child* safety and well-being. If the receiving state declines the caseworker's request for 30 day *face-to-face contact*, the caseworker must document in the case file the type and level of *contact* the receiving state will provide and how the *contact* is sufficient to confirm the *child* or *young adult's* safety and well-being. To meet federal standards *face-to-face contact* must be made at a minimum of once every six months. If the receiving state is unwilling or unable to have *face-to-face contact* with the *child* or *young adult* at least once every six months, a plan must be developed to meet this requirement.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

Contact(s):

- **Name:** CAF Reception; **Phone:** 503-945-5600

Policy History

- 03/01/04 thru 08/27/04
- 08/25/04
- 03/20/07
- 05/15/07 thru 11/09/07
- 11/01/07
- 08/01/08
- 07/01/09 thru 12/28/09