

Nancy Keeling, Administrator

**Authorized Signature**
**Number:** CW-PT-08-007

**Issue Date:** 06/27/2008

**Topic:** Protective Services

**Transmitting (check the box that best applies):**

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

**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:	Screening, CPS Assessment, Day Care Facility Investigation, CPS Assessment Dispositions		
Policy/Rule Number(s):	1-AB.2, 1-AB.4, 1-AB.4.1, 1-AB.5	Release No:	
Effective Date:	06/28/08	Expiration:	
References:			
Web Address:	<a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab2.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab2.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab4.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab4.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab41.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab41.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab5.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-ab5.pdf</a>		

**Discussion/Interpretation:**

The following permanent rules become effective on 06/28/08:

I-AB.2 about screening

I-AB.4 about Child Protective Services assessments

I-AB.5 about the CPS assessment disposition

I-AB.4.1 about day care facility investigations (this is a new rule)

Training on these rules has already been provided.

In addition, the following temporary rules become effective 06/28/08

1-AB.2 about screening

1-AB.4 about Child Protective Services assessments

The temporary rules were modified to incorporate changes that clarify the intent of existing rules. There is no additional workload as a result of these changes.

The following is additional detail about the changes to the permanent rules (see below for additional detail about changes to the temporary rules):

OAR 413-015-0210 about the Department response and timelines after screening activities are completed is being amended to implement the provisions of HB 3113, 2007 Or. Laws ch. 674, and to make permanent temporary rules that were filed on January 1, 2008 by adding types of agencies for which a report requires a child protective services assessment and clarifying language about required information to be gathered by screener, the criteria for a closed at screening decision, and the response time.

OAR 413-015-0211 about additional screening activities, OAR 413-015-0215 about notifications to specific agencies or entities, and OAR 413-015-0220 about screening extensions are being amended to implement the provisions of HB 3113, 2007 Or. Laws ch. 674, and to make permanent temporary rules that were filed on January 1, 2008 by restating the Department's policy regarding screening activities, notifications in the screening process and screening extensions.

OAR 413-015-0212 about the required consultation between a screener and a CPS supervisor is being amended to implement the provisions of HB 3113, 2007 Or. Laws ch. 674, and to make permanent temporary rules that were filed on January 1, 2008 by including day care facility investigation, additional Guided Assessment Process (GAP) screenings on other children, and use of "unable to locate" disposition as reasons to consult with a CPS supervisor.

OAR 413-015-0405 about the CPS response time lines is being amended to implement the provisions of HB 3113, 2007 Or. Laws ch. 674, and to make permanent temporary rules that were filed on January 1, 2008 by restating the Department's policy regarding the response time to a CPS assessment.

OAR 413-015-0520, 413-015-0525, 413-015-0530, 413-015-0535, 413-015-0540, 413-015-0545, 413-015-0550, 413-015-0555, 413-015-0560, and 413-015-0565 about day care investigations are being adopted to implement the provisions of HB 3113, 2007 Or. Laws ch. 674, which mandates that the Department respond to child abuse and neglect reports in a child care facility, decide roles of the investigation with law enforcement, and notify the Child Care Division of the receipt of a report and the outcome, and to make permanent temporary rules that were filed on January 1, 2008. These rules provide the Department's policy regarding the investigation of child abuse or neglect in a day care facility.

OAR 413-015-1000 about the disposition of a CPS assessment is being amended to

implement the provisions of HB 3113, 2007 Or. Laws ch. 674, and to make permanent temporary rules that were filed on January 1, 2008 by restating the Department's policy for the dispositions of CPS assessments that are classified as "unable to locate" and "No CPS assessment completed."

The following is additional detail about the changes to the temporary rules (see above for additional detail about changes to the permanent rules):

413-015-0205(4)(b): This subsection details what is required of a screener when there is an allegation of abuse/neglect in a Children's Care Provider. No new actions are expected. The new language removes a contradiction, orders steps sequentially and removes any direction to non Chld Welfare staff.

413-015-0205(5)(c): This subsection outlines the what a screener is required to tell a reporter. This is not additional workload. The language was modified to be consistent with the statutory language.

413-015-0409(1)(b): This subsection describes when no CPS assessment is necessary and was modified to be consistent with the Oregon Safety Model. No additional workload.

413-015-0415(2): This section was modified slightly to increase the original intent. No additional workload.

413-015-0415(9)(b): This subsection was modified to further clarify the actions of staff as a result of Karly's Law. The actions of Law Enforcement were removed. No additional workload.

413-015-0415(10)(b)(B): The modification in this paragraph was to fix an omission that created an awkward sentence. No additional workload.

**Implementation/Transition Instructions:** Please contact the CPS consultant for your district with questions or clarifications.

**Training/Communication Plan:** This information has been presented and discussed with opportunities to ask questions at CW Program Managers meeting, Supervisor Quarterlies, CPS Quarterlies and monthly telephone conference calls. The CPS consultants have provided additional support and other training may be provided if the need is identified.

**Local/Branch Action Required:** To read and implement the rules

**Central Office Action Required:** To read and implement the rules

**Field/Stakeholder review:**     Yes     No

**If yes, reviewed by:**

**Filing Instructions:**

*If you have any questions about this policy, contact:*

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