

**LCCS POLICY 152**  
**Notification Procedures for Serious Injury, Illness or Death of a  
 Child Involved in an Open Case or Recently Closed Case**

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| <b>Original Issue Date:</b>             | 1/20/1988   |
| <b>Revision Dates:</b>                  | 8/15/1988, 12/10/1991, 1/7/1994, 2/11/1999, 7/12/2007, 7/1/2011, 12/11/15, 5/1//2020  |
| <b>Revision Number:</b>                 | 8   |
| <b>Current Effective Date:</b>          | 5/1/2020  |
| <b>Obsolete/Combined Date:</b>          |   |
| <b>Reason for Obsoleting/Combining:</b> |   |
| <b>See new Policy #:</b>                |   |
| <b>Scope:</b>                           | All Lucas County Children Services Employees  |
| <b>Responsibility:</b>                  | All Staff, Substitute Caregivers, Worker of Record, Supervisor of Record, any agency staff receiving notification, Director of Services, Chief Counsel, and Legal Department Manager. |
| <b>Purpose:</b>                         | To ensure timely notification and services to all necessary parties regarding any serious injury, illness or death of a child involved in an open case.                               |
| <b>Legal Cite:</b>                      | O.R.C. 2151.421, 5153.10, 5153.16, 5153.171-173 O.A.C. 5101:2-42-66.1, 5101:2-42-66.2, 5101:2-33-26, 5101:2-33-14, 5101:2-36-01, 5101:2-33-21   |

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**POLICY STATEMENT**

When a child is seriously injured, seriously ill or dies while the subject of an open case with LCCS, notifications shall be made in the manner outlined in the procedures below.

When a child dies and the death is suspected to be a result of child abuse or neglect on a recently closed case (within 24 months), notifications shall be made in the manner outlined in the procedures below.

LCCS will provide supportive services for those individuals involved in any case where there is a child death during open case involvement.

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**PROCEDURE - including required timeframes and documentation**

**Notifications of Death of a Child on an Open Case**

1. Any agency employee or caregiver with placement of a child, who becomes aware of the death of a child in a family currently involved with LCCS will notify intake immediately.

2. Upon notice to intake of death involving a child, the intake worker will contact the Worker of Record.
3. If the WOR cannot be reached, the supervisor must be notified and will assume the duties of the WOR under this policy.
4. The WOR is responsible for contacting his/her supervisor. The supervisor will then notify his/her manager. If the supervisor is unavailable, the WOR must notify his/her manager.
5. The manager is responsible for notifying the Director of Services, who will notify the Executive Director. If the Director of Services is unavailable, the manager is responsible for notifying the Executive Director.
6. The Assessment Department Assistant Manager or the WOR supervisor will notify the law enforcement agency with jurisdiction (where the death occurred) within one hour of the Agency's knowledge of the death, if the death is suspected to be a result of child abuse or neglect.
7. The Quality Assurance Supervisor will notify the local Health Department or Child Fatality Review board after approval has been received from Chief Counsel.
8. The Quality Assurance Supervisor shall request a Coroner's Report and forward a copy to the Health Services Supervisor and the WOR or the records department for closed cases.

#### **Children in LCCS ITC, TC, PPLA, or PC**

- For children in LCCS ITC, TC or PPLA, the WOR or WOR's Supervisor must contact the parents, custodians, or guardians within one hour of the Agency being notified of the child's death. In cases where parents' whereabouts are unknown, the WOR must document reasonable efforts to establish contact. For children in LCCS PC, the WOR/Supervisor will determine if notification of the parent, guardian, or other relatives is appropriate.
- The manager responsible for the case will notify the Manager of the Legal Department. The Manager of the Legal Department will contact Lucas County Juvenile Court by telephone upon knowledge of the child's death. Written notice will follow within three (3) working days. The Manager of the Legal Department will notify the LCCS attorney of record, and shall ensure that a motion to terminate the agency's custody or otherwise terminate court involvement for a child in the protective supervision of LCCS, and make modifications as necessary regarding other children who may be involved in the legal process on the case. The LCCS attorney of record will notify the CASA/GAL and any other appropriate attorneys on the case.
- The WOR supervisor will notify LCCS' Health Services Department

## **Notifications of death of a child on a recently closed case**

1. Any agency employee, who becomes aware of the death of a child in a family of a recently closed case where the death is suspected as a result of child abuse or neglect will notify intake immediately.
2. Intake will immediately notify the manager of the department that possessed the case at the time of closing.
3. The manager of the department that possessed the case at the time of closing is responsible for notifying the Director of Services, who will notify the Executive Director. If the Director of Services is unavailable, the manager is responsible for notifying the Executive Director.
4. The Assessment Department Assistant Manager or the WOR supervisor will notify the law enforcement agency with jurisdiction (where the death occurred) within one hour of the Agency's knowledge of the death.
5. The Quality Assurance Supervisor will notify the local Health Department or Child Fatality Review board after approval has been received from Chief Counsel.
6. The Quality Assurance Supervisor shall request a Coroner's Report and forward a copy to the Health Services Supervisor and the WOR or the records department for closed cases.

## **SACWIS Requirements**

The Department Manager or Assistant Manager that possesses the case at the time of the child's death, shall complete the child fatality/near fatality record in SACWIS within five days of receipt of a referral when any of the following apply:

- (1) The death of a child occurred while in the custody of the PCSA.
- (2) The near fatality of a child occurred while in the custody of the PCSA.
- (3) The death of a child resulting from suspected child abuse or neglect.
- (4) The near fatality of a child resulting from suspected child abuse or neglect.

A near fatality includes allegations of known or suspected child abuse or neglect certified by a physician to place a child in serious or critical condition.

## **Funeral arrangements**

For children in LCCS ITC, TC or PPLA, the Agency will assist the family with planning funeral arrangements. For children in LCCS PC, the Agency will assume responsibility for funeral arrangements, per policy 156.

## **Documentation**

Documentation of the provision of notices as outlined by this policy will be documented in the case activity log in SACWIS.

## **SERVICE REQUIREMENTS FOR THE DEATH OF A CHILD IN THE CUSTODY AND CARE OF LCCS AT THE TIME OF HIS/HER DEATH:**

Counseling will be offered to biological parents, out-of-home caregivers, WOR, and support service workers involved in the case for up to six (6) weeks. The agency will pay for these services up to six hundred dollars (\$600.00) after the use of private resources such as insurance, and EAP are utilized. If further services are needed once the \$600.00 ceiling has been reached, the request for additional funds and a description of the situation will be sent up to the appropriate director.

The WOR and/or foster care worker will meet with the parents, foster parents or relative as soon as possible after the death, but always within one (1) working day to identify needs and arrange services to address the needs.

Agency foster homes will have the following supportive services available:

- Counseling offered for six (6) weeks to any member of the caregiver's family, subject to conditions cited above.
- The placement worker will match up the substitute caregiver with another substitute caregiver who has experienced a similar situation.
- Foster parent support group which deals with all issues regarding fostering.
- The foster care staff must meet with the family and identify and address needs (e.g. assist with transportation, establish respite care, etc.).

Relative/ Kinship caregivers will have the following supportive services available:

- Counseling offered for six (6) weeks to any member of the caregiver's family, subject to conditions cited above.
- The WOR must meet with the family and identify and address needs (e.g. assist with transportation, establish respite care, etc.).

Agency staff will have the following supportive services available:

- Peer support/counseling from another caseworker/employee who has had a similar experience.
- Temporary assistance with duties from caseworkers within the unit.
- Time to go to the funeral home or attend funeral services.
- Employee Assistance Program (EAP).

## **NON-CA/N RELATED DEATH OF A CHILD ON AN OPEN NON-CUSTODY CASE**

When a child on an open case dies, and the death is not related to CA/N, the WOR and supervisor must agree on the type and degree of supportive services to be offered to the family.

## **SERIOUS INJURIES/ ILLNESSES OF A CHILD IN THE CUSTODY AND CARE OF LCCS:**

### **Notification requirements:**

1. The caregiver will contact LCCS as soon as possible when there is a serious injury/illness involving a child in the agency's custody. If the nature of the injury/illness is a result of suspected child abuse or neglect intake must be notified immediately.
2. Upon notice to the agency of serious injury/illness involving a child in the custody and care of LCCS, the person notified will contact the Worker of Record. If the child's caregiver is unaware of the injury/ illness, the caseworker must immediately notify them personally.
3. If the WOR cannot be reached, the supervisor must be notified and will assume the duties of the WOR under this policy.
4. The WOR is responsible for contacting his/her supervisor. If the supervisor is unavailable, the WOR must notify his/her manager.
5. The Department Manager is responsible for notifying the Director of Services, who will notify the Executive Director. If the Director of Services is unavailable, the Department Manager is responsible for notifying the Executive Director.

## **THIS POLICY IS TO BE FOLLOWED DURING WORKING HOURS AND NON-WORKING HOURS, INCLUDING WEEKENDS AND HOLIDAYS**

**This policy will be reviewed with all staff/employees every six months.**

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## **CASE PRACTICE GUIDES**

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## **RELATED POLICIES and FORMS**

LCCS Policy 156 Arranging Funerals for Children who have Died while in Agency Custody  
LCCS Policy 152A DNR Orders