Child Protective Services - Mandated Reporting of Child Abuse and Neglect and Reportable Incidents

Policy
This policy specifies that all Early Interventionists and Service Coordinators, and the agencies that are their employers, must comply with the Child Protective Services Law and Commonwealth’s policy on Reportable Incidents in Early Intervention.

All agencies will review and comply with the Child Protective Services Law and its requirements for the mandated reporting of child abuse and neglect. Information about the Child Protective Services Law and requirements can be found at http://keepkidssafe.pa.gov/index.htm. The Child Protective Services Law can be found at http://www.legis.state.pa.us/CFDOCS/LEGIS/LI/consCheck.cfm?txtType=HTM&ttl=23&div=00.&chpt=063.&CFID=246217912&CFTOKEN=44782272

The Commonwealth's policy regarding Reportable Incidents in Early Intervention took effect March 7, 2008 (Announcement EI-08 #02).

Procedure for Responsibilities of Mandated Reporters under the Child Protective Services Law
All Early Interventionists and Service Coordinators are mandated reporters and must be knowledgeable about the responsibilities of a mandated reporter. https://www.pafs.org/Mandated-Reporters/Understanding-Mandated-Reporting/What-are-a-Mandated-Reporters-Responsibilities

To fulfill the legal mandate of the Child Protective Services Law, the Mandated Reported must immediately report make a report when she or he has reasonable cause to suspect that a child is being abused or neglected. This report can be done two ways:

1. Call ChildLine at 1-800-932-0313. ChildLine is available 24 hours/ 7 days a week. As a mandated reporter, you must provide your name and contact information when making the call. After making the call, mandated reporters must follow up with an electronic report or a written report completed on the CY-47 form within 48 hours of making the oral report.

2. Submit the report electronically. The CY-47 form is submitted directly to ChildLine via Child Welfare Information Solution portal. You will need to include your name, telephone number and email address. You also will need to include any other actions you have taken (see below). You will receive an email confirmation that your report has been received; you should print and keep this confirmation for your records.

After making the report to ChildLine, the mandated reporter must tell the person in charge of the Early Intervention agency. That person then is responsible to facilitate
the organization’s cooperation with any investigation and assists the mandated reporter with any concerns she or he may have.

Procedure for the Development and Review of Agency’s Reportable Incident Policy
Early Intervention providers (with more than one staff person) shall develop a Reportable Incident Policy and procedures for their respective agencies. The agency policy must specifically address the requirements of the Commonwealth’s policy on Reportable Incidents involving children receiving Early Intervention and the Child Protective Services Law. Each agency policy is to be forwarded to the agency’s County Program Analyst for review. Once approved, Early Intervention providers are to train their staff and contractors to implement the policy. As part of the County’s annual monitoring of providers, Program Analysts will review the agency’s training and implementation of Reportable Incident policy.

Individual Resource Fund providers do not have to develop policies, as the County will be responsible for investigating reportable incidents alleged to involve independent providers who are not affiliated with an agency.

Required Elements of Provider’s Reportable Incident Policy
Each provider agency policy (see note below) must address the following areas:

1. Ensure the safety of EI children during the investigation. Specifically, the alleged perpetrator should not be permitted to work with the infant/toddler that he/she is alleged to have abused (or any child, when the allegation warrants such action) pending the outcome of the investigation.
2. Mandated reporters must make an immediate and direct report of suspected child abuse to ChildLine either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313.
3. Disciplinary action or removal of the service provider if abuse is founded
4. Identify the investigation technique that will be used.
5. Specifies full cooperation and coordination with the Child line investigation
6. Identify the steps for staff and contractors for reporting, documenting suspected incidents.
7. Include time lines (specified below) for all steps and procedures
8. The process and directions for the completion and distribution of the required investigation report.
9. References, and has as an attachment the Commonwealth’s policy announcement on Reportable Incidents. This announcement can be found at http://www.education.pa.gov/Early%20Learning/Early%20Intervention/Pages/Early-Intervention-Announcements.aspx#.VeHdG_lVhBca
10. Identify who the contact person (or position) is for staff to report incidents, and who [staff or position(s)] will investigate reports of suspected child abuse that involve an EI service provider in your employ/contract.
11. Outlines the dates and time frames for the distribution and training of all staff in this policy
Note: Resource Fund Provider agencies must also develop policies and submit these policies to their Program Analyst. Individual Resource Fund providers do not have to develop policies, as the County will be responsible for investigating reportable incidents alleged to involve independent providers who are not affiliated with an agency (see below).

Reportable Incident Reporting Procedures and Timelines

- Incident Report investigations shall be initiated by the EI provider agency or County EI Program within 24 hours of receipt of the EI Reportable Incident form (attached).
- Incident Report investigations shall be concluded within 10 business days of initiation of the investigation, unless mitigating conditions exist, such as a police investigation or county children and youth agency investigation that prevent the completion of the incident investigation within this time frame. County EI programs shall contact the OCDEL to request an extension of the time frames for conclusion of an investigation.
- Provider agencies shall forward the investigation report to the County EI Program, i.e., EI Manager and Program Analyst, via facsimile within 5 business days of completion of the report. Providers are to alert the Manager and Program Analyst by email (see address list below) to notify them that the investigation report has been faxed.
- For individual (or single service) Resource Fund Providers, see the procedures and timelines outlined above.
- The County EI Program staff will review the provider agency’s investigation report and approve the report or request additional information within 5 business days of receipt of the provider’s report.
- The County EI Program will forward a copy of the incident report and provider’s investigation report to the OCDEL, upon the county’s approval of the investigation report.

HCSIS Reporting
If the child involved in suspected abuse is enrolled in Intellectual disAbility Services, the reportable incident must be entered into HCSIS. For individual Early Intervention service providers, this will be done by the County Investigation Unit Staff who investigates the incident. For incidents reported by agency providers, the incident will be entered into HCSIS by County Early Intervention staff, once the investigation report is received from the provider.

Investigation Report
An investigation report shall include:
- a copy of the EI Reportable Incident form (attached)
- the date on which the investigation began
- evidence:
  - list of all persons interviewed, including date and time
  - list of statements taken from persons interviewed
  - analysis
  - conclusion
recommendations
• the status of the alleged perpetrator
• A description of the steps taken by the provider or the County EI Program in response to the incident as well as the conclusion reached as a result of the investigation. See #1 above re: ensure the safety of EI children during an investigation.
• The date the investigation was concluded.
• If the child involved in suspected abuse is enrolled with Philadelphia Intellectual disAbility Services, the reportable incident must be entered into HCSIS.

Investigation of Individual (Single Service) Resource Fund Providers
• Reportable incidents that involve single service resource fund providers will be investigated by the IDS Investigation Unit.
• Single service resource fund providers will complete an Early Intervention Reportable Incident Form and forward this report by fax to the IDS Investigation Unit (fax # 215-685-5959).
• Incident report investigations will be initiated within 24 hours of receipt of the EI Reportable Incident Form.
• The IDS Investigation Unit will forward a facsimile of the investigation report to OCDEL within 5 business days of completion of the report.
• Incident Report investigations of single service providers shall be concluded within 5 business days of initiation of the investigation.
• The OCDEL will review the County’s investigation report, approve the report and notify the county in writing within 5 business days of the approval.
• If the OCDEL determines that additional information is needed, a request for additional information will be forwarded to the IDS Investigation Unit within 5 business days of receipt of the report. If the additional information is satisfactory, the OCDEL will notify the county within 5 business days of approval of the additional information.

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