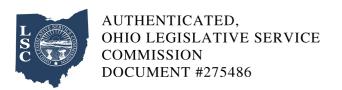


## Ohio Administrative Code

Rule 5101:2-33-14 PCSA requirements for recording a child fatality or near fatality.

Effective: November 1, 2019

- (A) Upon receipt of information involving a child fatality or near fatality, the public children services agency (PCSA) shall record the information into the statewide automated child welfare information system (SACWIS) pursuant to rule 5101:2-36-01 of the Administrative Code.
- (B) The PCSA shall categorize a child fatality or near fatality alleged to have occurred through known or suspected child abuse or neglect as a child abuse or neglect report.
- (C) 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 in accordance with the Child Abuse Prevention and Treatment Act Reauthorization Act of 2010 (P.L. 111-320, 12/20/10).
- (D) The PCSA shall complete the child fatality/near fatality record in SACWIS, in accordance with 42 U.S.C. 5106A (1/2019), within five days of receipt of a referral pursuant to paragraph (B) of this rule 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.
- (E) The PCSA shall complete the following for a child fatality that meets the criteria identified in paragraph (D) of this rule:
- (1) Notify the law enforcement agency with jurisdiction within one hour of its knowledge of the child's death pursuant to rule 5101:2-33-26 of the Administrative Code.



- (2) Notify the local health department and/or the child fatality review board, pursuant to sections 3701.045 and 307.623 of the Revised Code.
- (3) Amend the case plan pursuant to rule 5101:2-38-01 or 5101:2-38-05 of the Administrative Code, as applicable.
- (4) If the child is in the temporary custody or a permanent planned living arrangement of the PCSA, the PCSA shall complete all of the following:
- (a) Inform the parent, guardian, custodian of the child's death within one hour of receipt of the information.
- (b) Assist the family in planning funeral arrangements, if requested.
- (5) If the child is in the permanent custody of the PCSA, the PCSA shall complete all of the following:
- (a) Determine whether notification to the parent, guardian, custodian or other relatives is appropriate.
- (b) Assume responsibility for funeral arrangements.
- (F) The PCSA shall update the child fatality/near fatality record in SACWIS within five days of receipt of any additional information required to be documented in the child fatality/near fatality record.