



Ohio Administrative Code

Rule 5101:2-36-20 Public children services agencies assessment requirements for child abuse and neglect reports in alternative response.

Effective: September 1, 2024

(A) The public children services agency (PCSA) is to make a cross referral to law enforcement pursuant to rule 5101:2-36-12 of the Administrative Code.

(B) No later than seven calendar days after the screening decision, the PCSA is to provide written notification to all referrants who are mandated reporters in accordance with section 2151.421 of the Revised Code.

(C) The PCSA is to initiate the screened in child abuse and neglect report assigned to the alternative response pathway in accordance with the following:

(1) For an emergency report, attempt a face-to-face contact with the child subject of the report within one hour from the time the referral was screened in to assess child safety and interview the child subject of the report.

(2) For all other reports, complete one of the following within twenty-four hours from the time the referral was screened in, to assess child safety:

(a) Attempt a face-to-face contact with the parent, guardian, or custodian, child subject of the report, or collateral source.

(b) Attempt a telephone contact with the parent, guardian, or custodian, or collateral source.

(c) Send a letter to the parent, guardian, or custodian acknowledging a report was received and inviting the family to engage with the PCSA.

(D) If the child subject of the report is an infant or nonverbal child, who is currently in a hospital setting and is not scheduled for discharge within seventy-two hours from the time the referral is screened in, contact as described in paragraph (E) of this rule can be made virtually or by phone prior



to discharge with the direct medical staff who is providing care for the infant or child and is able to provide information regarding the child subject of the report's current condition and can provide current information about the child subject of the report's safety.

(E) The PCSA is to, at minimum, complete face-to-face contacts and interview each child subject of the report and at least one parent, guardian, custodian, or caretaker to assess child safety and complete the "Safety Assessment" pursuant to rule 5101:2-37-01 of the Administrative Code.

Attempts to conduct these face-to-face interviews are to be completed as follows, until the needed face-to-face contacts and interviews are completed:

(1) The PCSA is to attempt face-to-face contact with the child subject of the report and a parent, guardian, custodian, or caretaker within the first four working days from the date the referral was screened in.

(2) If the PCSA's attempt to complete face-to-face contact pursuant to paragraph (E)(1) of this rule is unsuccessful, the PCSA is to attempt at least one additional face-to-face contact within the first four working days from the date the referral was screened in

(3) If the attempted face-to-face contacts described in paragraphs (E)(1) and (E)(2) of this rule are unsuccessful, the PCSA is to, at minimum, continue making face-to-face attempts at least every five working days until any of the following occur:

(a) Contacts are made,

(b) The parent, guardian, or custodian refuses contact and the PCSA files a complaint in juvenile court, or

(c) The PCSA needs to make a final case decision pursuant to paragraph (S)(2) of this rule.

(F) The PCSA is to advise the parent, guardian, or custodian of the information contained in the report at the time of the initial contact. The initial contact between the PCSA and the parent, guardian, or custodian includes face-to-face or telephone contact, whichever occurs first, if information is gathered as part of the assessment process.



(G) The PCSA may not interview a child subject of the report or another child who resides in the home without a parent, guardian, or custodian's consent, unless one of the following exigent circumstances exists:

(1) There is credible information indicating the child is in immediate danger of serious harm or can provide information regarding immediate danger of serious harm.

(2) There is credible information indicating the child will be in immediate danger of serious harm upon return home from school or other locations away from their home.

(3) There is credible information indicating the child may be intimidated from discussing the alleged abuse or neglect in their home.

(4) The child requests to be contacted at school or another location due to one of the circumstances listed above.

(H) If a child is contacted without a parent, guardian, or custodian's consent, then the same day, the PCSA is to attempt a face-to-face contact or complete telephone contact with the child's parent, guardian, or custodian to inform them that contact with his or her child occurred and provide the specific facts that necessitated the child be contacted without a parent, guardian, or custodian's consent.

(I) The specific facts necessitating contact with the child be completed without a parent, guardian, or custodian's consent are to be documented in Ohio's CCWIS .

(J) If the attempt to contact the child's parent, guardian, custodian. or caretaker pursuant to paragraph (H) of this rule is unsuccessful, the PCSA is to continue to attempt to complete face-to-face contact with the child's parent, guardian or custodian once every five working days until contact is made with the child's parent, guardian, or custodian, or until the PCSA needs to make a case decision pursuant to paragraph (S)(2) of this rule.

(K) The PCSA need not interview a child if it is documented in Ohio's CCWIS that:



- (1) The child does not have sufficient verbal skills, or
 - (2) Additional interviewing would be detrimental to the child.
- (L) The PCSA is to convert a case from the alternative response pathway to the traditional response pathway if any of the following occur:
- (1) The family requests a pathway change from the alternative response pathway to the traditional response pathway.
 - (2) The "Safety Assessment", "Family Assessment", or "Ongoing Case Assessment/Investigation" cannot be completed because the family refused to engage in the assessment process.
 - (3) The PCSA files a complaint with the juvenile court pursuant to section 2151.27 of the Revised Code alleging the child is abused, neglected or dependent child.
 - (4) The PCSA screens in a report requiring assignment in a traditional response pathway pursuant to rule 5101:2-36-01 of the Administrative Code.
- (M) The PCSA is to record a pathway switch in Ohio's CCWIS no later than the next working day from the date of the event triggering the conversion of a case from the alternative response pathway to the traditional response pathway.
- (N) The PCSA is to notify the principals of the report of the pathway change either verbally or in writing within three working days upon the conversion of a case from the alternative response pathway to the traditional response pathway if the pathway switch is not the result of a subsequent report received and assigned to the traditional response pathway. The notification(s) is to be documented in Ohio's CCWIS.
- (O) If the PCSA determines a child to be in immediate danger of serious harm, the PCSA is to follow procedures outlined in rule 5101:2-37-02 of the Administrative Code.



(P) The PCSA is to conduct and document face-to face or telephone contact with any person identified as a possible source of information during the assessment to obtain relevant information regarding the safety of and risk to the child. The PCSA is to exercise discretion in the selection of collateral sources to protect the privacy of the principals of the report.

(Q) The PCSA is to have an interpreter present for all interviews if the PCSA has determined that a principal of the report has any factor that causes a barrier in communication, including but not limited to a principal of the report who is deaf or hearing impaired, limited English proficiency or is developmentally delayed.

(R) For all reports involving a substance affected infant as defined in rule 5101:2-1-01 of the Administrative Code the PCSA is to :

(1) Ensure the plan of safe care/family care plan has been developed.

(2) Ensure the plan of safe care/family care plan addresses the safety needs of the infant.

(3) Ensure the plan of safe care/family care plan addresses the health and substance use disorder treatment needs of the affected family or caregiver.

(S) No later than sixty calendar days from the date the PCSA screened in the referral, the PCSA is to:

(1) At minimum, complete face-to-face contact and interview the family of the child subject of the report residing in the home. Family includes all individuals pursuant to rule 5101:2-37-03 of the Administrative Code.

(2) Arrive at a final case decision by completing either:

(a) The "Family Assessment" pursuant to rule 5101:2-37-03 of the Administrative Code or,

(b) The "Ongoing Case Assessment/Investigation" if the child abuse and/or neglect report involves a family member who is receiving alternative response ongoing services from the PCSA.



(T) If the case decision is to transfer the case for ongoing PCSA services, and the case will continue to be assigned to the alternative response pathway, the agency is to provide ongoing services to the family pursuant to rule 5101:2-38-20 of the Administrative Code.

(U) No later than five business days after completion of the assessment, the PCSA is to complete the following:

(1) Notify the child subject of the report, unless the child is not of an age or developmental capacity to understand; and the parent(s), guardian(s), or custodian(s) of the final case decision in writing.

(2) Refer any substance affected infant as defined in rule 5101:2-1-01 of the Administrative Code to "Help Me Grow".

(3) Notify all participants involved in the plan of safe care and identified on the current release of information signed by the infant's parent, guardian or custodian of the final case decision. The final decision includes whether the case will be transferred for ongoing PCSA services, closed and referral made to community services, or closed. The following plan of safe care participants are to be notified:

(a) Parents, guardians, custodians or other caregivers for the infant.

(b) Health care providers involved in the delivery or care of the infant.

(c) Collaborating professional partners and agencies involved in caring for the infant and family.

(4) Notify the child's non-custodial parent, who holds residual parental rights to the child and maintains an ongoing relationship through visitation with the child and/or payment of child support, of the receipt of the report, and the case decision.

(V) No later than seven calendar days from the date of completion of the assessment, the PCSA is to provide written notification to all referents who are mandated reporters in accordance with section 2151.421 of the Revised Code.



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(W) The assessment, documentation and any materials obtained during the assessment, are to be maintained in the case record. If any information gathering activity cannot be completed, justification and the approval of the director or designee are to be filed in Ohio's CCWIS in accordance with rule 5101:2-36-11 of the Administrative Code.