



Ohio Administrative Code

Rule 5180:2-33-14 PCSA requirements for recording a child fatality or near fatality.

Effective: December 16, 2024

(A) Upon receipt of information involving a child fatality or near fatality, the public children services agency (PCSA) is to record the information into Ohio's comprehensive child welfare information system (CCWIS) pursuant to rule 5101:2-36-01 of the Administrative Code.

(B) The PCSA is to 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 (P.L. 117-348, 1/5/23).

(D) The PCSA is to complete the child fatality/near fatality record in Ohio's CCWIS, 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 is to 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) Update the family 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 is to 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 is to 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 is to update the child fatality/near fatality record in Ohio's CCWIS within five days of receipt of any additional information to be documented in the child fatality/near fatality record.