



**Administrative Policies and Procedures: 14.20**

<b>Subject:</b>	<b>Notice of Child Fatality/Near Fatality</b>
<b>Authority:</b>	TCA 37-1-401 et seq; 37-1-601et seq; 37-1-607; 37-5-105; 37-5-106; 37-5-107; Child Abuse Prevention and Treatment Act (CAPTA)
<b>Standards:</b>	None
<b>Application:</b>	All Department of Children's Services Child Protective Services Employees
<b>Policy Statement:</b>	
The Department of Children's Services shall work collaboratively with law enforcement and other agencies to ensure the safety of children in a home where there has been a child fatality.	
<b>Purpose:</b>	
Upon receipt of information of a child fatality or near fatality, CPS case workers will notify DCS Administration and take necessary steps to ensure that any other children in the household are safe.	
<b>Procedures:</b>	
<b>A. Notification</b>	<p>Any Child Protective Services staff must notify Central Intake immediately of a child fatality or near fatality. CPS staff will immediately notify the Regional Administrator, Director of Investigations or any other Central Office CPS staff by phone or in person immediately upon learning of a situation involving the death or serious injury of a child as outlined below:</p> <ol style="list-style-type: none"> <li>1. When the child is known to the Department due to a CPS investigation within the past three (3) years;</li> <li>2. When there is an active CPS investigation or services are being provided due to a CPS investigation;</li> <li>3. When the child is currently in state custody;</li> <li>4. When the circumstances surrounding the death or near death are suspected to meet criteria for abuse or neglect.</li> <li>5. If any items in 1 through 4 above are verified, information should be provided about the child that must include:             <ol style="list-style-type: none"> <li>a) Date of birth;</li> <li>b) Date of death or near death incident;</li> <li>c) Race;</li> <li>d) Sex;</li> <li>e) Circumstances of the child's death or near death;</li> </ol> </li> </ol>

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	<ul style="list-style-type: none"><li>f) Any identifying information known, such as name of child and/or guardian; and</li><li>g) Contact person information for follow-up.</li></ul>
<p><b>B. Notification process</b></p>	<ul style="list-style-type: none"><li>1. <b>Regional Staff will:</b><ul style="list-style-type: none"><li>a) Report the incident to Central Intake as soon as possible, but at least by 9 a.m. of the next working day.</li><li>b) Fax form <b>CS-0635, Notice of Child Fatality/Near Fatality</b> to the Office of Child Safety; and</li></ul></li><li>2. <b>Central Intake will:</b><ul style="list-style-type: none"><li>a) Contact the appropriate Central Office CPS staff and email notification to the Office of Child Safety;</li><li>b) Notify the Central Intake Director; and</li><li>c) E-mail Internal Affairs, Executive Director of Child Safety, and Public Information Officer (any press will be handled by the PIO);</li></ul></li><li>3. The Central Office Director of CPS or designee must be available for consultation to the region to determine if a child death or near death falls within the scope of CPS.</li></ul>
<p><b>B. Regional/local office procedure</b></p>	<ul style="list-style-type: none"><li>1. If there are other children residing in the home or facility, CPS Case Workers will report information to Central Intake <i>and</i> request an immediate screening decision.</li><li>2. If the report is screened in as meeting CPS criteria, investigative tasks will begin according to the Priority Response time assigned. Tasks may include:<ul style="list-style-type: none"><li>a) Convening CPIT;</li><li>b) Consult with DCS Regional Legal within twenty-four (24) hours from the time of the referral;</li><li>c) Assessment of risks to other children in the home or care of the caretaker;</li><li>d) Medical evaluation within forty-eight (48) hours from the time of the referral for the remaining children in the home or facility. In cases where the fatality/near fatality is clearly an accident, evaluations are not required.</li><li>e) Coordination of investigation tasks with local law enforcement so as not to jeopardize any criminal investigation;</li><li>f) Enter all information in the appropriate screens in TFACTS obtain copy of autopsy for case file; and</li><li>f) Shall refer to <u><a href="#">Work Aid #2, CPS Investigative Tasks by Allegation; Child Fatality-Near Fatality</a></u> category for required and recommended tasks and activities.</li></ul></li><li>3. The CPS team leader will arrange for 3<sup>rd</sup> party, confidential trauma</li></ul>

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	debriefing/grief counseling through the EAP, and offer these services to any staff person. 4. CPS case workers will cooperate and coordinate with Internal Affairs.
<b>C. End of life decisions</b>	For further information on end of life decisions, refer to DCS Policies <a href="#">20.29, Death of a Child/Youth in DCS Custody/Guardianship</a> ; <a href="#">20.56, Child/Youth Death Internal Review</a> and <a href="#">20.57, End of Life Decisions for Children/Youth in DCS Custody/Guardianship</a> .

<b>Forms:</b>	<a href="#">CS-0635 Notice of Child Fatality-Near Fatality</a>
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<b>Collateral documents:</b>	<a href="#">Work Aid #2, CPS Investigative Tasks by Allegation</a>
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