

Safety Item 1: Policy Reference Guide

Safety Item 1 is the only item, which considers the state’s policy in its rating. This section contains Pennsylvania policy that will help reviewers determine the appropriate rating for Item 1.

Pennsylvania’s Child Abuse Reporting Language

Type of Investigation (PA Terminology)	A.1 Assessment or Investigation?	A.1 Table Disposition Options
<p style="text-align: center;">Child Protective Services (CPS)</p>	<p style="text-align: center;">Investigation</p>	<ul style="list-style-type: none"> <i>Substantiated (case record might refer to indicated or founded)</i> <i>Not substantiated</i> <i>Investigation pending</i>
<p style="text-align: center;">General Protective Services (GPS)</p> <p><i>Note: GPS reports are considered to be reports assigned to alternative/differential response for purpose of CFSR</i></p>	<p style="text-align: center;">Assessment</p>	<ul style="list-style-type: none"> <i>Opened for services</i> <i>Not opened for services</i> <i>Assessment still pending</i>

Pennsylvania Timeframes for Child Protective Service (CPS) Reports

The Child Protective Service Law (CPSL) § 3490.55 (Investigation of reports of suspected child abuse) identifies the timeframes for initiating and responding to a Child Protective Services (CPS) report. Below is the excerpt of the relevant portion of the law:

§ 3490.55. Investigation of reports of suspected child abuse.

(a) Except as provided in subsection (b), the county agency shall begin its investigation within 24 hours of receiving a report of suspected child abuse. Upon beginning its investigation, the county agency shall see the child within 24 hours of receipt of the report.

(b) The county agency shall begin the investigation immediately upon receipt of a report of suspected child abuse and see the child immediately if one of the following applies:

- (1) Emergency protective custody has been taken or is needed.
- (2) It cannot be determined from the report whether or not emergency protective custody is needed.

Pennsylvania Timeframes for General Protective Service (GPS) Reports

During the Period Under Review (PUR) for 2021 CFSR case reviews, two bulletins were in effect:

- Beginning with the PUR on April 1, 2020 to October 3, 2020, OCYF bulletin #3490-19-02 issued on December 20, 2019 and effective on August 1, 2020, will be considered.
- The most recent policy comes from the Statewide General Protective Services (GPS) Response Times bulletin #3490-20-08 issued on September 11, 2020 and was effective October 3, 2020.

POLICY: Section 6375 of the Child Protective Services Law (CPSL) (relating to county agency requirements for the general protective services) and Pa 55 PA code §3490.223 (relating to receiving reports and assessing the need for services), require the county agency see the child immediately if emergency protective custody has been taken, is needed, or if it cannot be determined from the report whether or not emergency protective custody is needed. Otherwise, the county agency shall prioritize the response time for the assessment based on any known prior history of child welfare involvement and the following criteria, which has been developed in accordance with the In-Home Safety Assessment and Management Process and the Risk Assessment Model.

The following are response times related to reports assigned as GPS reports. As previously discussed, these response times are based on information gathered related to the In-Home Safety Assessment and Management Process and the Risk Assessment Model:

Immediate	
<p>The information reported indicates that a Present Danger exists which, by definition, meets the Safety Threshold. In order to reach the Safety Threshold, a condition must meet all of the following criteria: Have potential to cause serious harm to a child; Be specific and observable; Be out-of-control; Affect a vulnerable child; and Be imminent. Present Danger is defined as an immediate, significant, and clearly observable threat to a child actively occurring in the present.</p>	
Priority	
<u>Within 24 hours</u>	
<p>The information reported indicates that an Impending Danger exists which meets the Safety Threshold and/or the information reported indicates that overall Risk Factors rated as 'High' exist, which place the child in danger of further harm. An Impending Danger refers to threatening conditions that are in immediately obvious or currently active or occurring now but are out-of-control and likely to cause serious harm to a child in the near future. The information reported does not indicate the existence of Present Danger.</p>	
Expedited	
Prior to 10/3/2020	On/Following 10/3/2020
<u>Within 3-7 calendar days</u>	<u>Response must be within 5 calendar days</u>
<p>The information reported indicates that overall Risk Factors rated as 'Moderate' exist, which place the child in danger of future harm. The information reported does not indicate that Present or Impending Danger exists and does not meet the safety threshold.</p>	<p>The information reported indicates that overall Risk Factors rated as 'Moderate' exist, which place the child in danger of future harm. The information reported does not indicate the Present or Impending Danger exists and does not meet the safety threshold.</p>

General/Other

Response must be within 10 calendar days

The information reported indicates that overall Risk Factors rated as 'Low' exist, which may place the child in danger of future harm. The information reported does not indicate that Present or Impending Danger exists and does not meet the safety threshold.

Reasonable Efforts to establish Face to Face Contact

When a response time is assigned, county agency staff must make reasonable efforts to establish face-to-face contact with the identified child within the assigned response time. Ideally, the identified child or children and their primary caregiver(s) should be seen within the response time so that an appropriate assessment of safety can be completed. However, consistent with the In-Home Safety Assessment and Management Process (SAMP), there may be instances when county agency staff must make the immediate, preliminary assessment and safety decision without seeing both the child and the primary caregiver in order to assure the child's safety. This would lead to the development of an immediate, preliminary safety plan. When this happens, the county agency staff must make reasonable efforts to see the other household members and persons involved with the case, including children, involved in the case within **3 business days** for the safety assessment worksheet to be completed.

If during the process of the preliminary assessment of the identified child, the threshold of present or impending danger is **not** met; county agency staff must continue to make reasonable efforts to see the other household members and person involved with the case, including children involved in the case within the **3 business days** for the safety assessment worksheet to be completed.

55 Pa Code Section §3490.232 (relating to receiving reports and assessing the need for services) requires that throughout the period of assessing the family for services, all household members must be contacted in order to thoroughly assess and manage the safety of the child(ren). The county agency is to also contact other individuals who are known or expected to have information that would be helpful in determining if there is a need for services. It should be noted that all aspects of the SAMP process should be completed and documented; however, all of these individuals do not have to be seen or contacted during the initial GPS response time period.