



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.