



**Administrative Policies and Procedures: 20.27**

<b>Subject:</b>	<b>Child Death/Near-Death Rapid Response</b>
<b>Authority:</b>	TCA 37-1-401 <i>et seq</i> ; 37-1-601 <i>et seq</i> ; 37-1-607; 37-2-415 (a) (17), 37-2-416; 37-5-105 (3); 37-5-106; 37-5-107; 37-5-124; 38-1-104, 38-5-107, 38-7-106, 38-7-108, 38-7-109, 68-4-103, 68-4-111, 68-30-102, 68-30-104, 68-30-114, 68-30-115; Child Abuse Prevention and Treatment Act (CAPTA)
<b>Standards:</b>	<b>DCS Practice Standards:</b> 7-100 A, 7-200A, 7-205A, 8-306;
<b>Application:</b>	To All Department of Children's Services Employees and Contract Agency Providers
<b>Policy Statement:</b>	
The Department of Children's Services (DCS) Employees, Contract Agency Employees and Foster Parents shall comply with State and Federal statutes and DCS policies, procedures and protocols when child death/preliminary near death occurs. DCS shall utilize an internal rapid response system to notify appropriate Executive Management, appropriate staff, other entities and families of child death or preliminary near death occurrences.	
<b>Purpose:</b>	
To provide guidelines and requirements for appropriate notification, reporting and documentation of child death/near death occurrences, and ensure immediate technical assistance is provided to the Child Protective Services (CPS) Child Safety Investigative Teams for systems improvement.	
<b>Procedures:</b>	
<b>A. Notification of child death/preliminary near death</b>	<ol style="list-style-type: none"> <li>1. All DCS staff <b>immediately</b> report to the <b>Child Abuse Hotline</b> any time a child death or preliminary near death occurs regarding all children with an open DCS case, including children in the custody of the department and any known death or preliminary near death where abuse or neglect are suspected and a community referral has not already been made.</li> <li>2. For referrals involving child death, the Child Abuse Hotline staff place the Abuse Death allegation in <b>TFACTS</b>.</li> <li>3. The Child Abuse Hotline staff notifies, by telephone, the designated regional staff of a death or preliminary near death within one (1) hour of completing the intake process.</li> <li>4. Child Abuse Hotline staff immediately inform the Notification Team by e-mail upon receiving a referral regarding the death or preliminary near death of a child. The Notification Team includes the following: <ol style="list-style-type: none"> <li>a) Commissioner,</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>b) All Deputy Commissioners,</li> <li>c) Public Information Officer,</li> <li>d) Executive Director of Child Safety</li> <li>e) General Counsel,</li> <li>f) Legislative Liaison,</li> <li>g) Medical Director,</li> <li>h) Director of Nursing,</li> <li>i) All Child Safety Nurses</li> <li>j) Director of Safety Analysis</li> <li>k) Safety Analysts</li> <li>l) Regional Investigations Director (RID)</li> <li>m) Regional Administrator (RA) and Deputy Regional Administrator (DRA) for the county involved.</li> </ul> <p>5. Additional steps for children in DCS custody:</p> <ul style="list-style-type: none"> <li>a) The Family Service Worker (FSW) or supervisor ensure notification to the Team Leader, Team Coordinator, and the Regional Administrator (RA) or designee with details of death immediately.</li> <li>b) The RA or designee will call the Commissioner within one (1) hour to communicate information about the custodial child death.</li> </ul> <p>6. Additional steps for children in Youth Development Center (YDC) placements:</p> <ul style="list-style-type: none"> <li>a) The Superintendent of the YDC immediately notifies the Deputy Commissioner of Juvenile Justice or designee by telephone to verify the date of death and other information on the death of the youth.</li> <li>b) The Deputy Commissioner of Juvenile Justice or designee notifies the Commissioner by telephone within one (1) hour of learning about the death.</li> </ul> <p>7. Refer to <a href="#"><u>Protocol for Employee and Team Support After a Child/Youth or Employee Death</u></a> for information about regional, team, and employee support (e.g., on-site critical incident debriefing) after a child’s death during an open or recent DCS case.</p>
<p><b>B. Family notification</b></p>	<p>Refer to <a href="#"><u>Protocol for Death of a Child in Department of Children’s Services Custody/Guardianship</u></a> for procedures and guidelines for family notification.</p>
<p><b>C. Regional and Office of Child Safety procedures</b></p>	<p>1. The case is assigned to a CPS Investigator for immediate response. If there is an open case at the time of the child’s death or preliminary near death and it is unrelated to the death or preliminary near death event, a new CPS investigator who does not have direct involvement with the open case is assigned to the open case and the death or preliminary near death case.</p>

	<p>DCS staff refer to DCS Policy <a href="#">14.7, Child Protective Services Investigative Track, Child Death/Near Death</a> category for required and recommended CPS tasks.</p> <ol style="list-style-type: none"> <li>2. All case documentation on child death or preliminary near death cases are recorded in <b>TFACTS</b> as soon as possible, but no later than five (5) business days after the case contact occurred.</li> <li>3. If an urgent issue is identified on a case, the case supervisor notifies the Investigations Coordinator and, if necessary, the Office of Child Safety and the Regional Safety Analyst.</li> <li>4. The supervisor conducts a case search to determine if there are duplicate cases in the system and contact the Field Customer Care Representative (FCCR) in their region to remedy any data clean up that needs to occur on the case.</li> <li>5. Within forty-eight (48) hours of assigning the death or near death case, the RA or RID holds a debriefing with all relevant DCS staff to support emotional well-being and offer Employee Assistance Program (EAP) services as needed to the group or individuals.</li> <li>6. Additional procedures for children in DCS custody:             <ol style="list-style-type: none"> <li>a) All deaths and preliminary deaths of a child in DCS custody are reported to the Child Abuse Hotline and screened in as an investigation. If there are no allegations of abuse or neglect, the death may be screened out at the discretion of the Deputy Commissioner and the Commissioner.</li> <li>b) The staff assigned the case records the case closure in <b>TFACTS</b> in the Court section "<i>legal status</i>" by entering a "Termination Date" and "Termination Reason" as "<i>Death of Child</i>".</li> <li>c) DCS staff working the case refer to DCS Policy <a href="#">20.57, End of Life Decisions for Children/Youth in DCS Custody/Guardianship</a>, and <a href="#">Protocol for Death of a Child in Department of Children's Services Custody/Guardianship</a>.</li> </ol> </li> <li>7. Within four (4) hours of notification of the death of a custodial child, the RA or designee documents in <b>TFACTS</b> they have received notification of the child death and have verified the date of death has been properly entered in <b>TFACTS</b>.</li> <li>8. Additional steps for children in YDCs:             <p>Within one (1) hour of notification of the death of a youth, the Deputy Commissioner of Juvenile Justice or designee documents in <b>TFACTS</b> that they have received notification of the youth death and have verified the date of death has been properly entered in <b>TFACTS</b>.</p> </li> </ol>
<p><b>D. Data collection</b></p>	<ol style="list-style-type: none"> <li>1. Upon notification of a child death or near death, the Commissioner's designee updates a "<u>master log</u>" of all child death/near death data.</li> </ol>

	<p>2. The <u>master log</u> contains the following data elements:</p> <ul style="list-style-type: none"> <li>a) Date of death</li> <li>b) <b>TFACTS</b> Identification number</li> <li>c) Child's name</li> <li>d) Date of birth</li> <li>e) Date of referral</li> <li>f) Date Investigation opened</li> <li>g) Sex</li> <li>h) Race</li> <li>i) Region/County</li> <li>j) History of DCS involvement</li> <li>k) Cause of death</li> <li>l) Investigation Classification</li> </ul>
<p><b>E. Commissioner/ designee's legislative report</b></p>	<p>1. The Commissioner/designee provides a report to legislators within ten (10) business days of the death or near death of the following children, in compliance with <i>TCA 37-5-124</i>:</p> <ul style="list-style-type: none"> <li>a) Any child in the custody of the department;</li> <li>b) Any child who is the subject of an ongoing investigation by CPS or has been the subject of an investigation by CPS within the forty-five (45) days immediately preceding the child's death or near death; or</li> <li>c) Any child whose death or near death resulted in an investigation of the safety and well-being of another child in the home.</li> </ul> <p>2. The identification of the appropriate legislators representing the child are determined by the home address of the child. If the child was not a resident of Tennessee prior to being placed in the custody of the department, the legislators representing the child is determined by the address of the residence or facility in which the child was located at the time of the child's death or near death.</p>
<p><b>F. Reports</b></p>	<p>A detailed written summary of the circumstances surrounding the death is coordinated and compiled by the Child Death Internal Review Team, as outlined in DCS Policy <a href="#"><u>20.28 Child Death/Near Death Review</u></a>.</p>

<p><b>Forms:</b></p>	<p><i>None</i></p>
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<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>Near Death:</b>	Per Tennessee Code Annotated (TCA) 37-5-107(c)(4) is defined as a serious or critical medical condition resulting from abuse, neglect or child sexual abuse as reported by a physician who has examined the child subsequent to the abuse or neglect.
<b>Preliminary Near Death:</b>	When an initial referral or a referral on an open case has been determined to meet the criteria for an allegation of near death, the Child Abuse Hotline will select Preliminary Near Death (PND) Indicator in TFACTS on the participant's tab on an initial referral or the investigative person's tab on a referral on an active case.

<b>Collateral documents:</b>	<p><a href="#"><u>Protocol for Death of a Child in Department of Children's Services Custody/Guardianship</u></a></p> <p><a href="#"><u>Protocol for Employee and Team Support After a Child/Youth or Employee Death</u></a></p> <p>DCS Policy <a href="#"><u>14.7, Child Protective Services Investigative Track</u></a></p> <p>DCS Policy <a href="#"><u>20.28 Child Death/Near Death Review</u></a></p> <p>DCS Policy <a href="#"><u>20.57, End of Life Decisions for Children/Youth in DCS Custody/Guardianship</u></a></p>
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