


**Department of Public Health and Human Services – Procedure**

	<b>Category:</b>	<i>Child and Family Services Division</i>
	<b>Procedure:</b>	<i>7.4.2 (PRO) Safety Systems Critical Incidents Response Procedure</i>
	<b>Procedure Number</b>	<i>(Optional)</i>

**1. Purpose**

The purpose of this procedure is to guide CFSD staff in the notification and response to a critical incident so the Division responds consistently and in a timely manner to all critical incidents and so that information gathered from a response may be used for critical incident review and overall child welfare system learning and improvement.

**2. Scope**

This procedure applies to all CFSD employees and any DPHHS employees involved in a critical incident and the Department’s response.

This procedure begins when any CFSD employee is notified of a critical incident and ends when the case file is secured, all relevant information documented, a new CPS and CPSS is appointed, and safety is ensured for all children residing in the home of the critical incident.

**3. Responsibility**


Centralized Intake Bureau Chief (CIBC) – It is the CIBC’s (or designee) responsibility to ensure Centralized Intake (CI) completes timely notification to required CFSD personnel upon receipt of information indicating a critical incident may have occurred. Centralized Intake Specialist Supervisors (CISS’s) will follow or ensure CI Specialists follow the notification procedures when a critical incident occurs. This includes, but may not be limited to, contacting the Division Administrator, Complaint and Critical Incident Manager, Regional Administrator, Centralized Intake Bureau Chief, responding CPS and the Office of the Child and Family Ombudsman by phone and/or via email.

Division Administrator (DA) – It is the Division Administrator’s (or designee) responsibility to follow the notification procedures for the DPHHS Director, DPHHS Economic Security Branch Manager, DPHHS Public Information Officer, DPHHS Legal Office, and the Deputy CFSD Administrator. In the event that the Division Administrator is unavailable, the Deputy Division Administrator assumes this role and all duties within.

Regional Administrator for the region where the incident occurred (RA) – It is the Regional Administrator’s (or designee) responsibility to follow the notification procedure for employees in the field, the regional office staff involved, and any other community members or stakeholders identified on the Critical Incident Form that need to be notified. In the event that the RA is unavailable, the Child Welfare Manager assumes this role. Additionally, the RA is responsible for securing the file, compiling all needed documentation, appointing a new CPS and CPSS to the case and making sure there is an immediate response to determine safety of other children who remain in the home where the critical incident occurred.

Complaint and Critical Incident Manager (CCIM) – It is the CCIM’s (or designee) responsibility to be a direct point of contact for the Division Administrator and all entities

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who oversee CFSD. In the event that the CCIM is unavailable, the CCIM will appoint a Regional Administrator to assume this role and all duties within. It is also the CCIM’s responsibility to lead the Division’s Critical Incident Review Team on all critical incidents and provide an annual review of this procedure and to make recommendations for any identified improvements.

**4. Definitions**

CI means Centralized Intake

CIBC means Centralized Intake Bureau Chief

CISS means Centralized Intake Specialist Supervisor

CFSD means Child and Family Services Division

CCIM means Complaint and Critical Incident Manger

Critical Incident means a death or near death of a child where child abuse or neglect is suspected to have occurred during an open case, open investigation or on an investigation in which the report was closed in the past sixty days.

CWM means Child Welfare Manager

DPHHS means Department of Public Health and Human Services

FFA means Family Functioning Assessment


Immediately means as soon after notification as possible not to exceed 24 hours.

Near Death means an incident in which a child was certified by a physician to be in a medically serious or critical condition because of an action that constituted suspected child abuse or neglect.

RA means Regional Administrator

Secure File means to immediately make a paper copy of every document associated with the case and secure the file by reassigning the report or case and having all paper copies maintained by the RA or designee; this process is utilized to assure no changes are made to the information following the designation of a critical incident.

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**5. Procedure**

1. Immediate notification is required upon receipt of a report of any death or near death of a child where child abuse or neglect is suspected to have occurred during an open case, open investigation or when a prior report was made to Centralized Intake regarding the child within sixty days prior to the incident.
2. If the critical incident report is made directly to Centralized Intake, (CI) it is the duty of CI to follow notification procedures as outlined in #3 above and the CI Workbook.  
 Upon receipt of a critical incident report at the field level, the CFSD employee receiving the report must verbally notify their direct supervisor; and these notifications continue up line until the Regional Administrator is notified. The Regional Administrator will ensure a report to CI is made immediately. The RA will also ensure completion of the Critical Incident Form with all available information.  
 The Critical Incident Form is then forwarded to the Division Administrator and Complaint and Critical Incident Manager, and the Centralized Intake Bureau Chief via email.  
 As additional information is available, the Critical Incident Report Form must be updated as soon as possible, but no later than 24 hours after initial report.
3. The notification process is as follows; not necessarily in this order:

Who	Notifies	What
Centralized Intake Supervisor or designated CI Specialist	Division Administrator Complaint and Critical Incident Manager Regional Administrator Centralized Intake Bureau Chief Responding CPS	1. Child's first and last name 2. Current status of child if near death 3. Location of Critical Incident 4. Known facts of the case 5. Previous CFSD history (Y/N)
Regional Administrator	Division Administrator Complaint and Critical Incident Manager Centralized Intake Bureau Chief	6. Child's first and last name 7. Current status of child if near death 8. Location of Critical Incident 9. Known facts of the case 10. Previous CFSD history (Y/N)
Division Administrator	Economic Security Branch Manager of DPHHS Director of DPHHS DPHHS Public Information Officer DPHHS Legal Office (Deputy CFSD Administrator if acting for the CFSD Division Administrator)	11. Child's first and last name 12. Current status of child if near death 13. Location of Critical Incident 14. Known facts of the case 15. Previous CFSD history (Y/N)

4. The Regional Administrator where the incident occurred will assure that all Department case records related to the critical incident are secured immediately (note 4(c) above)

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and not to exceed 24 hours after receiving notification of the critical incident. This includes:

- a. Request the electronic case record be identified as a secured case and limit the staff allowed access to that file. These records include but are not limited to the RRD1 and RRD2 CAPS screens, the Family Functioning Assessment as documented at time of incident, past reports (including the Centralized Intake Reports and past Family Functioning Assessments), and email correspondence related to the case.
  - b. Gather original hard copies and print hard copies of all Department records relating to the case (including all hand-written notes). Assure the hard copy case record is kept in a location that prevents unauthorized staff from having access.
    - i. Location to be determined by RA.
  - c. Assure that a clear distinction is made in the case record prior to the Critical Incident designation, if applicable, and after. Prior case notes and narratives must not be altered and new information must be dated.
5. The Regional Administrator where the incident occurred will re-assign any open investigation or open case related to the critical incident to another CPS and CPSS and will make appropriate changes in CAPS.
  6. The Regional Administrator will request that the originally assigned CPS and CPSS at the time of the notice of the critical incident will immediately make the following efforts
    - a. Document in a separate report any information that has been gathered since the last information inputted into the FFA.
    - b. Transcribe and save any handwritten notes in a separate document.
    - c. This information will be added to the file provided to the newly assigned CPS and CPSS and all documentation on the report shall be immediately provided to the Division Administrator and Complaint and Critical Incident Manager.
  7. The secure file will be stored by the CCIM.
  8. The RA will ensure the CPS worker originally assigned to an open case or investigation takes paid administrative leave the day following a child death for three business days. In other instances when a critical incident has taken place the RA may use their discretion if time off is needed for their employees. The employee will also be provided with the state’s Employee Benefit Plan information and encouraged to contact this resource at their discretion.
    - a. RA will need to send an email to the CFSD HR Generalist and Payroll Technician to verify this leave is not due to performance issues or
  9. The CPS worker originally assigned to the case/report will also be relieved of any on-call duties for a minimum of two weeks; the worker’s supervisor will ensure changes to the on-call schedule are updated.

**6. Media**

1. The Department’s Public Information Officer, or the Director, shall be the spokesperson for the case with the media. Staff contacted by the media regarding the case shall

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immediately notify their supervisor who in turn will notify the RA, who will ensure notification to the Division Administrator. Approval to discuss the case must be granted by the Division Administrator, in consultation with the Complaint and Critical Incident Manager and the Department’s Public Information Officer prior to staff discussion with media regarding the case.

**7. Related Documentation**

- Critical Incident Policy
- Critical Incident Report Form
- Critical Incident Review Procedure

**8. Related Federal or State Guidance**

- Mont. Code Ann. § §52-1-103 (1) and 52-1-103 (4)
- Mont. Admin. R. 37.43.103
- Mont. Admin. R. 37.43.104