

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to repeal the following DCYF rule:

Comprehensive Emergency Services

This rule is repealed because it is obsolete and provisions of continuing relevance are addressed in the Family Care Community Partnerships Practice Standards. In the repeal of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This repealed rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>). Interested persons may submit written comments by April 2, 2012 to Susan Bowler, Implementation Director for Policy and Programs, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Susan.Bowler@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

~~Comprehensive Emergency Services~~

~~Rhode Island Department of Children, Youth and Families~~

~~Policy: 900.0055~~

~~Effective Date: July 7, 1984~~ ~~Revised Date: January 22, 1990~~ ~~Version: 3~~

~~Comprehensive Emergency Services (CES) is a system of coordinated community-based services designed to meet emergency needs of children and their families who are experiencing a crisis that threatens to disrupt the family unit. It is the priority of the Department to prevent the placement of children at risk through the timely provision of family-centered, home-based services.~~

~~The following federal and state laws mandate that efforts are made by the Department to prevent placement and strengthen the family:~~

~~The Adoption Assistance and Child Welfare Act of 1980 (PL 96-272) mandates that reasonable efforts will be made prior to the placement of a child in foster care to prevent or eliminate the need for removal of the child from his/her home.~~

~~Rhode Island General Law (RIGL) 42-72-2 states that Rhode Island has a basic obligation to promote, safeguard, and protect the social well-being and development of the children of the state through a comprehensive program. This program should provide services to children and their families to prevent unnecessary removal of children from their homes and to strengthen the family unit making the home safe for children by enhancing the parental capacity for good child care.~~

~~RIGL 42-72-5 requires the Department to establish plans and facilities for emergency treatment, relocation, and physical custody of abused and neglected children. Services should include homemaker/educator, specialized foster family, day care, crisis team, and emergency shelter.~~

~~RIGL 42-72-11 requires the Department to mobilize available services in cases of child abuse and neglect which may assist the child and his/her family. These services should include day care, homemaker, medical, psychological, psychiatric evaluation and treatment, and information and referral.~~

~~CES provides a time-limited (60-day) voluntary alternative to placement for families who reside in the targeted regions. This service is provided without regard to income level. CES seeks to maintain children in their own homes with the provision of appropriate services during crisis situations. If separation is necessary, CES provides services to ensure an orderly placement that will minimize trauma for children and their families.~~

~~CES programs receive referrals from families or agencies representing families in the community, law enforcement agencies, and the Department.~~

~~The Department's referrals to CES are initiated only by specified staff within the Division of Child Protective Services. Most of these referrals are monitored by Screening for the first thirty (30) days of CES intervention with no active Departmental involvement. If it is determined either at the time of initial referral to CES or after the thirty-day (30) monitoring period that active DCYF involvement is warranted, DCYF and CES will concurrently service the family.~~

~~Children and their families who require coordinated comprehensive services to maintain and strengthen the family are appropriate for referral to CES. Individual components of a CES program cannot be utilized if the need for comprehensive services does not exist.~~

~~CES includes the following components:~~

1. — Twenty-four (24) hour emergency intake via answering service to receive and screen referrals. Crisis response workers are available to assess the situation and initiate emergency services. CES workers cannot conduct abuse/neglect investigations.
2. — Emergency homemakers or family aides to provide supervision and protection to children in their own homes on a twenty-four (24) hour basis. Homemakers may also be assigned to teach parents adequate parenting skills and provide a variety of supportive services.
3. — Psychiatric evaluation and consultation.
4. — Coordination of emergency family assistance and shelter services to provide information and referral about short-term housing and other needs to families living in inadequate shelter.
5. — Crisis intervention and counseling to individuals and families.
6. — Emergency foster families to provide short-term placement in the community for children and adolescents who must be removed from home for a short period of time.
7. — Family and center-day care.
8. — Outreach and follow-up services to assist and maintain families through casework and case management services beyond the immediate crisis. Linkages and service agreements with community-based treatment and prevention agencies for ongoing services.
9. — Parent Education groups.
10. — Regional coordinating committees representing child welfare, health, mental health, counseling, and social service providers to plan and maintain a comprehensive network of services to children and families. The coordinating committee will also provide service evaluation, multi-disciplinary case consultation, and community education to the region.

Related Procedures

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Comprehensive Emergency Services

Procedure From Policy 900.0055: Comprehensive Emergency Services

A. ~~Responsibilities of CES Contract Agencies:~~

~~1. The contract agency is responsible for the development and maintenance of the regional coordinating committee and its subcommittees. The project director or his/her designee serves as staff to the coordinating committee and assists in arranging meetings, setting agenda, developing interagency agreements, planning and arranging for community awareness, and education on issues such as abuse and neglect.~~

~~2. The CES system provides crisis intervention and an alternative to placement that protects children and maintains families intact or ensures speedy reunification when children must be separated for a short time.~~

~~3. As soon as the situation is stabilized, CES links the family with the appropriate community treatment and prevention services that can assist in achieving long-term stability and avoid a recurrence of abuse or neglect.~~

~~4. During the period of CES services, the outreach worker must inform the Department of progress, changes, or crises that occur in cases that are active with or being monitored by the Department.~~

~~5. Tasks performed by CES workers:~~

~~a. Verbally report immediately to the Call Floor (1-800-RI-CHILD) any incident or suspicion of abuse or neglect regarding a new referral or a family receiving CES services. Written notification to the Call Floor is to follow within three (3) working days;~~

~~b. Respond to service request or crisis situations on a twenty four (24) hour per day, seven (7) day per week basis. Non-emergency calls may be serviced within two (2) working days.~~

~~c. Evaluate and assess all cases for their potential to be serviced by CES.~~

~~d. Develop a written CES case plan for the family that identifies short-term goals, specific objectives and time limits for achievement, service components and quantity to achieve objectives, and long-term goals and community agencies appropriate to provide services. If the case is active with DCYF, a copy of the CES case plan should be sent to the active DCYF worker.~~

~~e. If the case is active with DCYF, provide or arrange for the provision of services detailed in the DCYF case plan, including the transportation necessary to ensure the client's participation in services.~~

~~f. Arrange for medical and mental health examinations for family members when appropriate.~~

~~Provide case management and counseling services for up to sixty (60) days to all families accepted into the program. This may include providing home-based counseling to assist families in gaining access to necessary services, ensuring participation in these services, and coordinating and monitoring programs and services to alleviate abuse and neglect.~~

~~h. Present cases to a multi-disciplinary or case consultation team when appropriate. DCYF worker should be notified if case is active with the Department.~~

~~i. Submit to DCYF a written thirty-day (30) progress report if case has been referred by DCYF. The progress report must include a recommendation regarding the need for DCYF involvement. Report is forwarded to appropriate staff as indicated below:~~

~~—— (1) If referral was an unfounded CPS Investigation which was closed to DCYF, report is forwarded to record center to be incorporated into closed RICHIST record.~~

~~—— (2) If referral was an indicated CPS Investigation or came directly from Screening, the case is monitored for thirty (30) days by Screening; therefore, the report is sent to the appropriate screener.~~

~~(3) — If referral was made by Family Services Unit, the report is forwarded to primary service worker.~~

~~j. — Submit interim written reports to DCYF every thirty (30) days on cases active with the Department detailing the family's participation in services, any changes in child's or family's situation, and progress made toward goals and objectives.~~

~~k. — Notify DCYF of any child active or being monitored by DCYF who remains in CES substitute care for more than thirty (30) days and participate in developing plan of action. Notice should be made to primary service worker if child is active with DCYF or to Screening intake worker if child is being monitored by Screening.~~

~~l. — When a child in CES placement, who is active with or being monitored by the Department, is missing or runs away from placement, CES worker adheres to the following procedures in accordance with Policy for Missing Children/Runaways:~~

~~(1) — Make reasonable efforts to locate the child.~~

~~(2) — Notify police in accordance with the following time frames. (The child's level of maturity, mental status, and past patterns of behavior must be considered as circumstances which may require earlier reporting to ensure the child's safety.):~~

~~(a) — Immediately — child under the age of six (6).~~

~~(b) — Within one (1) hour — child between the age of six (6) and twelve (12).~~

~~(c) — Within two (2) hours — child over the age of twelve (12).~~

~~(3) — Notify DCYF:~~

~~(a) — If the episode occurs during standard working hours (8:30 A.M. to 4:00 P.M.), the primary service worker or supervisor is contacted.~~

~~(b) — If the episode occurs during nonstandard working hours (4:00 P.M. to 8:30 A.M. and on weekends), the SCR (1-800-RI-CHILD) is contacted;~~

~~(c) — If the child returns, CES must notify the DCYF primary service worker during standard working hours or the SCR during nonstandard working hours;~~

~~(d) — DCYF and CES will jointly decide who will notify parents if case is active with DCYF. If case is being monitored by DCYF for thirty (30) days, CES will notify parents; and~~

~~(e) — Arrange and provide transportation back to placement if child is located within Rhode Island. If the child is located out of state, DCYF will arrange for transportation back to placement. If applicable criteria is met, transportation may be arranged through the Interstate Compact.~~

~~m. — Submit to DCYF all reports requested for court hearings. Participate in such hearings if requested by Family Court Judge and/or DCYF worker;~~

~~n. — If the case was referred by DCYF, submit to DCYF a discharge summary within three (3) working days of termination of services detailing the nature and quantity of services delivered, the period of service delivery, and the outcome of services. The report is forwarded to appropriate staff as indicated below:~~

~~(1) — If the referral was an unfounded CPS investigation which was closed to DCYF, the report is forwarded to SCR to be incorporated into the closed RICHIST record;~~

~~(2) — If the case is being monitored by screening, the report is forwarded to the appropriate screener; or~~

~~(3) — If the case is active within the Department, the report is forwarded to the primary service worker.~~

~~Comprehensive Emergency Services Sources of Referral to CES Procedure From Policy 900.0055: Comprehensive Emergency Services~~

~~A. — The following sources may refer children to a CES lead agency. Each designated CES staff person will screen, through the Call Floor (1-800-RI-CHILD), referrals that are not made by DCYF (Subsections 1 and 2 below) for current involvement with DCYF to ensure that CES involvement is appropriate.~~

~~1. — Families or agencies representing families in the community can request services to alleviate stress that could result in disruption or breakup of a family.~~

~~2. — Law enforcement agencies may refer the following:~~

~~a. — Acting-out/runaway youth not active with DCYF. (The family must be willing to participate in the program.)~~

~~b. — Situations involving domestic violence.~~

~~c. — Other non-child abuse/neglect emergencies that threaten to cause harm to the child or disrupt the family.~~

~~3. — Department of Children, Youth and Families.~~

~~Comprehensive Emergency Services Referrals to CES Programs Made by Call Floor, Investigative, and Screening Staff of the Division of Child Protective Services (CPS)~~

~~Procedure From Policy 900.0055: Comprehensive Emergency Services~~

A. ~~_____~~ The following criteria apply to all referrals:

- ~~1. _____~~ Family must reside in CES region;
- ~~2. _____~~ Family must be willing to participate in CES;
- ~~3. _____~~ Family has not previously received CES services except in cases agreed upon by CES and DCYF;
- ~~4. _____~~ Family crisis or "at risk" situation is likely to be alleviated with sixty-day (60) intervention except in cases agreed upon by CES and DCYF;
- ~~5. _____~~ In the instance of indicated child abuse, the abuse does not constitute a willful and repeated pattern of behavior;
- ~~6. _____~~ In cases where police have detained an unattended child after hours, DCYF may refer to CES after a DCYF investigator performs an on-site investigation and finds family willing to accept services;
- ~~7. _____~~ DCYF will perform all child abuse and/or neglect investigations even if a referral is made to CES; and
- ~~8. _____~~ The family is not active, at the time of referral to CES, in the Department's Division of Direct Services.

B. ~~_____~~ Call Floor staff are encouraged to provide the CES telephone number to a caller who is requesting information about services in the area in which he/she resides.

C. ~~_____~~ Investigative staff may refer the types of cases listed below:

1. ~~_____~~ Indicated abuse/neglect:

- ~~a. _____~~ Worker performs on-site investigation and decides with approval of supervisor that immediate intensive in-home services could prevent the placement of a child and would be in the child's best interest;
- ~~b. _____~~ Worker describes CES program to family;
- ~~c. _____~~ Worker obtains signed release of information (DCYF #007) and signed Agreement to Participate in Comprehensive Emergency Services (DCYF #024);
- ~~d. _____~~ Worker contacts CES lead agency to schedule the referral and to provide appropriate information and consultation. Worker provides CES program with signed DCYF #007 and DCYF #024;
- ~~e. _____~~ Worker completes investigation and case is forwarded to Screening Unit;
- ~~f. _____~~ In most situations, case will be monitored by Screening for thirty (30) days until CES report is received. If there is a need for immediate DCYF service, case will be opened to a DCYF Assessment Unit and receive concurrent services from DCYF and CES; and
- ~~g. _____~~ Based on CES recommendations and consultation, screener decides to close case to DCYF or to transfer to Assessment for active DCYF involvement. Case may continue to be jointly serviced by CES and DCYF for an additional thirty (30) days.

2. ~~_____~~ Unfounded abuse/neglect:

- ~~a. _____~~ Worker performs on-site investigation and allegation appears to be unfounded; however, there appears to be an immediate need for child welfare services (i.e. voluntary, dependency, wayward);
- ~~b. _____~~ Worker decides with approval of supervisor that immediate services could prevent placement of a child and/or alleviate a crisis situation;

- ~~c. — Worker follows procedures above;~~
- ~~d. — Worker completes investigation and closes case; and~~
- ~~e. — When CES thirty-day (30) progress report is received, it is filed in the closed RICHIST record. If report includes a recommendation for DCYF involvement (non-child abuse/neglect), CES must refer case to Screening.~~

~~D. — Screening intake staff may refer types of cases listed below:~~

~~1. — Indicated abuse/neglect:~~

- ~~a. — Case received by Screening subsequent to completed CPS investigation;~~
- ~~b. — Case not referred to CES by Child Protective Investigator but appears appropriate for program; and~~
- ~~c. — Worker follows procedure above~~

~~2. — Unfounded abuse/neglect:~~

- ~~a. — Upon completion of Child Protective investigation, allegations were unfounded;~~
- ~~b. — Case is submitted by Child Protective Investigator (CPI) to Screening Unit stating that family is requesting service; and~~
- ~~c. — Referral to CES is made by Screening using procedure above.~~

~~3. — Non-child abuse/neglect during standard working hours (8:30 A.M. to 4:00 P.M.):~~

- ~~a. — All requests for non-child abuse/neglect services for cases which are not active within the Department will be diverted to Screening intake worker where decision to refer to CES is made; and~~
- ~~b. — Worker follows referral process outlined in Section C, 1 (a – e) above.~~

~~Comprehensive Emergency Services Concurrent DCYF/CES Involvement~~

~~Procedure From Policy 900.0055: Comprehensive Emergency Services~~

~~A. — If screener determines that concurrent DCYF/CES involvement is appropriate, the case is referred to Family Service Unit to be actively serviced by the Department.~~

~~B. — A DCYF worker is assigned as primary service worker from Department. Verbal communication between CES and DCYF worker occurs within three (3) days of referral.~~

~~C. — DCYF worker notifies family that Department will be involved and will:~~

- ~~1. — monitor safety of child;~~
- ~~2. — provide consultation;~~
- ~~3. — provide joint case planning with CES; and~~
- ~~4. — initiate and follow up any court involvement.~~

~~D. — If in consultation with the CES worker it is decided that temporary separation of the child from his/her family is necessary, the child may be placed in a CES approved placement. A CES agreement for voluntary placement and for medical consent authorization must be signed by parent(s).~~

~~E. — DCYF worker participates in the development of the CES service plan. A copy of the CES service plan is forwarded to the DCYF worker and is filed with the DCYF #032 in the Case Plan/Review/Social Summary section of the DCYF case record.~~

~~F. — CES worker participates in the development of the DCYF Case Plan (DCYF #032) which must be completed within thirty (30) working days of the case opening to a DCYF Family Service Unit.~~

~~G. — DCYF worker maintains ongoing contact with the CES worker through out the remaining period of CES involvement. DCYF worker notifies CES worker immediately if there is any new CPS allegation during the period of CES involvement. Worker must record CES contacts in the ongoing dictation in the DCYF case record.~~

~~H. — DCYF worker will have direct involvement with the family, when appropriate, after case consultation with CES worker. If there is family court involvement, DCYF worker will be involved regarding legal issues.~~

~~I. — DCYF worker and/or supervisor will consult with CES worker prior to CES termination to evaluate the following:~~

- ~~1. — DCYF Case Plan (DCYF #032) and CES service plan;~~
- ~~2. — progress of family;~~
- ~~3. — existing provision of services and need for additional or continuing services; and~~
- ~~4. — circumstances that could cause harm to child(ren).~~

~~J. — At the end of the sixty-day (60) CES period of involvement or prior to that time if the CES and DCYF workers determine that termination of CES is necessary or appropriate, a discharge plan must be formulated:~~

- ~~1. — If there is a need for DCYF's continued involvement, the Department will service the case in conjunction with other community services that the family may have been linked with through CES;~~
- ~~2. — If there is no need for DCYF involvement, the Department will close the case and ongoing prevention and treatment services required by the family will be provided by community agencies; and~~
- ~~3. — The CES worker will link the family with community agencies and ensure that a relationship has developed prior to CES termination.~~

~~Comprehensive Emergency Services Referrals from CES to DCYF~~

~~Procedure From Policy 900.0055: Comprehensive Emergency Services~~

~~A. Families receiving services from the CES agency and not active with DCYF shall be reviewed by the CES worker at the end of thirty (30) days of service. This review may be conducted as part of a consultation utilizing the multi-disciplinary team established by CES. If the review indicates that the child(ren) will require placement and protective services (non-child abuse/neglect) beyond the sixty-day (60) term of CES involvement, the CES worker shall notify the Department's Screening intake coverage worker:~~

- ~~1. CES will continue to provide services for thirty (30) days;~~
- ~~2. Consultation between DCYF and CES will occur to determine need for DCYF service;~~
- ~~and~~
- ~~3. DCYF Screening Unit will notify CES in writing within thirty (30) days of the action to be taken.~~