

Requests for Confidential Information Received Through the Call Floor

Rhode Island Department of Children, Youth and Families

Policy: 500.0045

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The Call Floor is the section of the Department of Children, Youth, and Families (DCYF) which receives, screens, and investigates child abuse and neglect (CA/N) reports. Information gathered and maintained by the Call Floor is kept in confidential files both written and computerized. Access to this information is governed by State and Federal laws and regulations and by Departmental policy and procedure. While select individuals and/or agencies have access to virtually all information maintained in the Call Floor (the identity of the reporter or other confidential sources must be protected at all times), most others have more limited access. In all situations access is limited to those individuals and/or agencies who have a need and a right to know such data.

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Response to Request for Confidential Information Received Through the Call Floor

Procedure From Policy 500.0045: Requests for Confidential Information Received Through the Call Floor

- A. If subjects of a report or lawyers representing subjects request release of information, Call Floor workers/CPIs will inform them that all requests must be in written, notarized form and mailed to the Assistant Director, Division of Child Protective Services:
1. Any specific questions about the case or procedures followed and/or a listing of any specific information requested must be included in the letter.
 2. Call Floor workers/CPIs shall never release case-related information to a subject or his/her attorney while on the telephone.
 3. Information which may be released to subjects of a report and/or lawyers representing these subjects, with approval of the Assistant Director of Child Protective Services or his/her designee, includes the following:
 - a. A summary of the allegations made and/or the reason for involvement with the Department. Care must be taken, however, to protect the identity of the reporter/source or other confidential informant and confidential information regarding others.
 - b. A summary of the medical care/conditions /data regarding the child while involved with CPS. The individual should be referred to the physician/nurse practitioner/health care facility for details.
 - c. A summary of the child's placement history during his/her involvement with CPS. However, permission should be sought from the foster parents and it should be in the best interests of the child if identifying information is to be given.
 - d. A detailed explanation as to the results of an investigation and plans, if any, for future agency involvement.
 - e. Confidential information from third party sources (ex. psychiatric/psychological evaluations) shall not be released by the Department without the expressed consent of that source. However, individuals may be made aware of such reports and who to contact to obtain more information.
- B. Access to Abuse/Neglect Reports Taken by the Call Floor
1. The following people have access to all abuse/neglect reports taken by the Call Floor, subject to the limitations noted or court order:
 - a. Child Protective Investigative Staff and Social Caseworkers in the course of assessing and serving children and families.
 - b. Law enforcement officers investigating a report of known or suspected child abuse or neglect.
 - c. Physicians/nurse practitioners who are examining a child when the physician/nurse practitioner has reasonable cause to suspect child abuse or neglect.

- d. The Attorney General or Assistant Attorneys General when that office is engaged in the investigation of or prosecution of criminal conduct of another relating to the child or other children within the same family unit.
 - e. The Office of the Child Advocate as defined by State law (see Rhode Island General Law (RIGL) 62-73-8).
 - f. A grand jury when it determines that access is necessary to conduct its business.
 - g. A court upon its finding that access is necessary to determine an issue before the court with such access limited to in camera inspection unless the court determines that public disclosure of the information is necessary.
- C. Persons Eligible to Receive Oral Information Through the Call Floor:
- 1. Physicians/nurse practitioners, law enforcement officers, and at times the Office of the Attorney General and the Office of the Child Advocate shall receive oral information through the Call Floor (excluding reporter/source information) subject to the limitations noted. All others must send a written request.
 - 2. Verbal information released by Call Floor workers/CPIs to these individuals shall be limited to that contained in investigative files and in the CPS data base. This shall include, but is not limited to, the dates and content of abuse/neglect reports or other CPS involvement and the results of specific investigations or other CPS intervention. Information contained in ongoing DCYF service files shall be released only as stipulated in policy.
 - 3. In all situations the Call Floor worker/CPI must verify the identity of the caller before releasing any information.

Call Verification and Limitations for Information Released

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- A. Procedures for call verification and limitations for information released are as follows:
1. Physician/nurse practitioner - A physician/nurse practitioner is given information only when he/she is examining a child and has reasonable cause to suspect child abuse or neglect. Elicit the name of the physician/nurse practitioner and the phone number of the hospital/health care facility. Call directory assistance or otherwise verify the number given. Telephone the caller after verification has been completed.
 2. Law Enforcement Officer - Establish the name of the officer, his/her present location and phone number, and the phone number of the police department. Use the Resource Directory or otherwise verify the phone number of the law enforcement agency. Call the law enforcement agency to verify that the officer is currently on duty and to verify his present location. Telephone the officer once verification has been completed. A law enforcement officer is given information only when he/she is investigating a report of known or suspected child abuse or neglect.
 3. The Attorney General or Assistant Attorneys General - The Attorney General or Assistant Attorneys General have access to abuse/neglect reports in the Call Floor only when that office is engaged in the investigation of or prosecution of criminal conduct of another relating to the child or other children within the same family unit. Except in emergency situations, the Attorney General's Office shall send a written request for information to the Assistant Director, Division of Child Protective Services. This request shall include an explanation as to the involvement of that office with the individual(s) specified and the specific information requested. The DCYF Legal Office must be consulted before any specific information is released to the Attorney General's Office. In emergency situations where immediate information is required by the Attorney General's Office, the following verification procedure shall be used:
 - a. Elicit the name of the caller, his/her phone number, the extent of involvement of the Attorney General's Office with the individual(s) specified, and the specific information requested.
 - b. Call directory assistance or otherwise verify the number given.
 - c. Consult the DCYF Legal Office once the identity of the caller has been verified and the information requested has been located.
 - d. Telephone the caller after verification has been completed and release information only as instructed by Legal Counsel.
 4. The Office of the Child Advocate - As defined in RIGL 42-73-8, the Office of the Child Advocate shall have access to the names of all children involved with DCYF, their location if in custody, all reports of child abuse

and neglect, and all current records. Except in emergency situations, the Office of the Child Advocate shall send a written request for information to the Assistant Director, Division of Child Protective Services including the name and date of birth of the specific individual(s) and the specific information requested. In emergency situations where immediate information is required by the Office of the Child Advocate, the following verification procedure shall be used:

- a. Elicit the name of the caller, his/her phone number, and the specific information requested.
- b. Call directory assistance or otherwise verify the number given.
- c. Call back the caller once verification has been completed.

Other Professionals Requesting Case Information by Contacting the Call Floor

Procedure From Policy 500.0045: Requests for Confidential Information Received Through the Call Floor

- A. Certain other professionals who contact the Call Floor requesting case information may be provided limited information subject to the following conditions. Disclosure to professional under this section is permitted only as authorized under R.I.G.L. 42-72-8. Therefore, limited information is defined as only that information which is necessary to enable the professional to engage in the activity outlined in that section of the General Laws as warranting disclosure. Identities of involved persons other than the person being treated, evaluated, diagnosed, educated or placed will not be disclosed unless essential to said treatment, evaluation, diagnosis, education, or placement. Professionals who have access to limited information include:
1. Other DCYF employees (Social Work, Supervisory, Administrative Staff).
 2. Other State employees (Social Work, Supervisory, and Administrative Staff of SRS, MHRH, etc).
 3. School Department/Head Start (Student Relations/Social Service, Administration, Principals).
 4. Visiting Nurse Association.
 5. Mental Health Professionals (Counselors, Psychologists/Psychiatrists, Administration).
 6. Comprehensive Emergency Services.
 7. Family Court (Judges and their designees, CASA volunteers, Guardians ad Litem).
 8. DCYF vendors (foster parents, group home staff, etc. limited to children presently in their care).
- B. Telephone Requests
1. For all telephone requests the Call Floor worker/CPI must elicit the caller's name, the name of the school, agency community organization, etc. that he/she represents and his/her address and telephone number for verification.
 2. Call directory assistance, check the Resource Directory, or otherwise verify the number of the school, agency, community organization, etc. When necessary, call the agency to verify the caller's employment (for example, when the caller is phoning from another location). Telephone the caller after verification has been completed.
- C. Written Requests:
1. For written requests the following information must be included, subject to the conditions noted:
 - a. The name of the individual/agency requesting information.
 - b. The name of the school, agency, community organization etc. that he/she represents and his/her address and telephone number.
 - c. The name(s) of the individual(s) about whom the information is requested.

- d. Except for other DCYF employees and Family Court (including CASA Volunteers and Guardians ad Litem), such requests must be accompanied by a release of confidential information signed by the individual(s) about whom the information is requested before any detailed information will be given.
- D. Ascertaining Need and Right to Know Information:
1. It must be clearly ascertained why the individual or agency is requesting information and that he/she has the need and the right to know such information as defined in RIGL 42-72-8 (Confidentiality).
 2. In addition the individual or agency must currently be involved with the child or his/her immediate family (parents/siblings). The individual or agency must appear on the above list of approved individuals, or prior Administrative approval must be obtained for the release of information.
- E. Information That Can Be Released
1. Information that can be released depends on who receives the request and the status of the case. Call Floor workers may only verify either that CPS is currently active and provide the name and phone number of the assigned CPI/supervisor or that there is no current CPS involvement. The Call Floor worker shall not confirm or deny prior CPS involvement with a child or family. If the caller requests additional information, he/she shall be instructed to send a written request addressed to the Assistant Director, Division of Child Protective Services and to include a signed confidential release. If there is no current CPS involvement but the caller suggests or requests verification of other DCYF involvement, the Call Floor worker shall refer that individual to Masterfile.
 2. CPIs/supervisors can release any or all of the information detailed in Procedure in Response to Request for Confidential Information Received Through the Call Floor, subject to proper authorization (confidential release, court order, Administrative approval) and the documented need and right of that individual to know such information. Any disclosure of confidential information either oral or written, must be documented in a Case Activity Note (If there is any question as to the authorization to release information to any individual, supervisory and if necessary Administrative approval must be sought prior to that release.
 3. In the instance of an investigation wherein the allegation is unfounded there shall be no disclosure or release of information related thereto without the written authorization of the person who had been the alleged perpetrator or leave of court after notice to said person and an opportunity to be heard, or as otherwise specifically provided in law.