

Protocol for Review of Child Fatalities where Child Abuse Assessments are Completed

Effective Date:

Author: Jennifer Pham

Purpose

Outline the steps for the State Mortality Review Committee (SMRC) to immediately review child abuse assessments which involve the fatality of a child under age eighteen as required by Iowa Code §135.43, subsection 4.

Scope

Applies to the State Mortality Review Committee members, Bureau of Family Health and Child Protective Services (CPS).

Roles and Responsibilities

1. Division of Family Well-being and Protection, Child Protective Services
 - a. Designates CPS lead staff for the purpose of coordinating with the SMRC Subcommittee Coordinator in the Bureau of Family Health, Division of Public Health
 - b. Notifies the SMRC Subcommittee Coordinator when a child fatality has occurred and the committee will follow up with CPS lead staff at periodic intervals to determine when information is complete.
 - c. Provides records to the SMRC pursuant to Iowa Code 135.43, subsection 4.
 - d. Provides subject matter expertise (SME) and technical assistance to the SMRC Child Abuse Assessment Review (CAAR) subcommittee on policies, practices, expertise, and code requirements of CPS in cases. Ensures CPS lead staff, CAAR Subcommittee, and CAAR Subcommittee Coordinator understand the details of the case.
2. SMRC
 - a. Establish a CAAR subcommittee, including appointing a subcommittee chair, for the sole purpose of satisfying the requirements of Iowa Code 135.43, subsection 4.
 - b. Reviews and approves reports prepared by the CAAR subcommittee.
 - c. Determine if recommendations should be made pursuant to Iowa Code 135.4, subsection 4.
3. Public Health, Family Health: CAAR Subcommittee Coordinator

- a. Designates the CAAR Subcommittee Coordinator and the SMRC Coordinator
 - b. Facilitates the process for the review of child abuse assessments which involve the fatality of a child under age eighteen, pursuant to Iowa Code 135.43 and according to the procedure below
 - c. Manages subcommittee membership, including confidentiality agreements and conflict of interest procedures
 - d. Manages secure file storage for all records
 - e. Monitors cases that go to trial
 - f. Drafts report documents for the subcommittee and submits to the SMRC and HHS leadership for approval
4. CAAR Subcommittee Chair (non-HHS employee or subcontractor. Preference for non-State of Iowa employee)
 - a. Facilitates subcommittee meetings
 - b. Consult with HHS staff responsible for meeting with the County Attorney involved in the prosecution of the alleged perpetrator of the child fatality. The Chair may delegate this consultation to another member of the subcommittee as needed.
5. CAAR Subcommittee Members
 - a. Review assessments and all other documents relevant to the case
 - b. Review and approve subcommittee reports

Definitions

1. Immediate Review: requires that the case review process, outlined below, be initiated within 5 business days of receipt of a completed child protective assessment. The full review will be dependent upon receipt of all records to ensure a fulsome review.
2. Child Abuse Records: includes but is not limited to:
 - a. Accepted and rejected child protective intakes,
 - b. Family Assessments,
 - c. Not confirmed, confirmed, and founded Child Protective Assessments involving the family,
 - d. Child protective service records
 - e. Juvenile Court records

Protocol

CAAR Subcommittee - member selection:

1. The subcommittee may consist of members with the following expertise:
 - a. Law enforcement
 - b. Child welfare
 - c. Medical Examiner

- d. Attorney with child welfare experience
 - e. Others, as determined appropriate for the case being reviewed
2. All CAAR subcommittee members will be required to verify for each case they do not have a conflict of interest.

Notification of cases:

1. When a child abuse report involving the fatality of a child under the age of 18 is accepted for an assessment, the CPS lead staff shall notify CAAR subcommittee coordinator by email and provide the accepted intake and historical child protective assessments for the child victim.
2. Upon notification from CPS lead staff, the CAAR subcommittee coordinator shall initiate the following steps no later than the next business day:
 - a. Notify CAAR subcommittee a case review has been initiated.
 - b. Notify SMRC members a case review has been initiated.
 - c. Obtain conflict of interest documentation from CAAR subcommittee members within 2 business days of notification

Case Review Process:

1. Upon completion of the child protective assessment, the CPS lead staff will send the completed assessment and all available child abuse records as defined above
2. Upon receipt of the completed child protective assessment from CPS, the CAAR subcommittee coordinator shall initiate the case review within three business days:
 - a. Notify CAAR subcommittee members when case records and other pertinent information are available for review. Not all records may be available at the same time.
 - b. CAAR subcommittee members shall complete a review of all documents as soon as possible and prior to any scheduled meeting of the CAAR subcommittee
 - c. Schedule a meeting with the CAAR subcommittee, CPS lead staff, and CPS SMEs to review the assigned case(s). If multiple cases are under review, a single meeting may be conducted.
3. CAAR subcommittee members shall meet to conduct a review of the case documents using a review tool provided by the CAAR subcommittee coordinator.
The CAAR subcommittee will:
 - a. Complete the review tool
 - b. Review updates and additional records, if requested, as they become available

- c. Communicate recommendations and questions to the CPS Lead
- d. Develop recommendations for the SMRC to approve for the department, appropriate law enforcement agencies, and any other person involved with child protection, interventions that may prevent harm to a child who is related to or is living in the same home as a child whose case is reviewed by the committee.

Reporting Process

1. Following the completion of CAAR subcommittee review of each child fatality case, the CAAR subcommittee coordinator shall draft a case report in accordance with Iowa Code 135.43, subsection 4.
 - a. CAAR subcommittee coordinator shall consult with the County Attorney. The report is subject to the restrictions applicable to the department for release of information concerning a child fatality or near fatality in accordance with section 235A.15, subsection 9.
2. The draft report shall be submitted to the CPS Director or Deputy for review and approval. Following Director/Deputy approval, the report will be sent to the CAAR subcommittee for review and approval. Upon CAAR approval, the report will be presented to the full SMRC for final approval.
3. Following SMRC approval, Iowa HHS will submit the final report to the Governor and General Assembly.
4. The CAAR subcommittee coordinator shall track cases that go to trial. Following the completion of the trial of any alleged perpetrator of the child fatality and the appeal period for the granting of a new trial, the SMRC shall issue a supplemental report pursuant to 135.43, subsection 4. The process for drafting and approval of any supplemental report will follow the same process as the initial report outlined in steps 1 through 3, above.

Change Log

Effective date	Version	Author	action	summary of changes
	1.0			

Review Log

REVIEW DATE	REVIEWED BY	NEXT REVIEW DATE

DRAFT