


**DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES ADMINISTRATION
311 W. SARATOGA STREET
BALTIMORE, MARYLAND 21201**

DATE: June 2, 2015

POLICY #: SSA-CW # 15-29

TO: Directors, Local Departments of Social Services
Assistant Directors of Services

FROM: 
Deborah Ramelmeier, Executive Director
Social Services Administration

RE: After Hours Policy for Adult and Child Welfare

PROGRAM AFFECTED: In-Home Services, Out of Home Services, and Adult Services

ORIGINATING OFFICE: In-Home Services

ACTION REQUIRED OF: All Local Departments (excluding Baltimore City)

REQUIRED ACTION: Implementation of Policy

ACTION DUE DATE: July 1, 2015

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PURPOSE:

This Policy Directive serves to instruct Local Departments of Social Services (LDSS) on the appropriate framework for after hours service delivery to the community.

BACKGROUND:

The law requires that local departments of social services have the ability to respond to emergencies involving Adult Protective Services (APS), Child Protective Services (CPS), Out of Home Placement Services (OHP), and Family Investment Administration (FIA) issues involving vulnerable adults or families with children being served by the agency, 24 hours a day, 7 days a week. In the case of APS, Title 14 of the Family Law Article (Fam. Law) of the Annotated Code of Maryland, require that LDSS APS staff investigate allegations of abuse, neglect, exploitation and self-neglect of vulnerable adults 18 years of age and older. Fam. Law § 14-303. Some of these allegations may be of an emergent nature and require a quick response. The law defines “emergency” as “*any condition in which an individual is living that presents a substantial risk of death or immediate and serious physical harm to the individual or others.*” Fam. Law § 14-101(e). Section 5-706 of the Family Law Article requires LDSS CPS staff to investigate or assess reports of child abuse or neglect. Pursuant to federal mandates, CPS staff must be available to respond to reports 24 hours a day, 7 days a week. Child Abuse Prevention and Treatment Act (CAPTA) of 2010 Sec. 106(b)(2)(B)(iv) requires states accepting Federal money to establish “procedures for the immediate screening, risk and safety assessment and prompt investigation” of reports regarding child maltreatment and certain risk of harm cases”; COMAR 07.02.07.05-.08. LDSS staff must also be available to provide services to children who are in OHP outside of normal agency business hours and to provide emergency or crisis services to children in OHP at any time. Fam Law § 5-525; COMAR 07.02.11.01 *et seq.* In addition, LDSS staff respond to emergency requests concerning vulnerable adults or families with children. Hum. Servs. Art. § 5-309; COMAR 07.03.08.

As a result of these mandates, the 24 local jurisdictions in Maryland already have in place local plans on how to respond to reports regarding an emergency response by After Hours staff. Due to the diversity and various needs of each local community, there is no one-size-fits-all approach to how a LDSS should operate its After Hours program. However, consistent with DHR’s mission of protecting our most vulnerable populations, After Hours policies should contain certain core elements to ensure the safety and well-being of the children, adults and families that we serve.

Currently Baltimore City provides extended hours coverage therefore this policy does not apply to Baltimore City DSS operations.

SCOPE OF AFTER HOURS PROGRAMS

The goal of DHR's After Hours services is to provide coverage for situations requiring attention when the LDSS is closed. This includes responding to emergency reports of child and adult maltreatment or ensuring that the LDSS is in compliance with the laws regarding abuse and neglect of children and vulnerable adults. In addition, After Hours staff may need to respond to emergency calls regarding children who are currently open in OHP or to emergencies that arise in the CARE/Project Home and adult public guardianship cases. After Hours staff may also be responsible for responding to homeless issues and emergencies related to lack of basic living needs. If, based on the nature of the situation, a response from the LDSS can wait until the LDSS is open without violating a mandated response time, After Hours staff do not need to respond.

All screening guidelines apply to reports made to the LDSS regardless of whether the report is made during business hours or when the LDSS is closed. All applicable statutes for responding to maltreatment reports apply. *(For example, if a report of child neglect is made after hours on a Friday, no other safety issues are present, and there is no other need to respond earlier than 5 days, then the initiation of the investigation into the allegations may wait until the following Monday. The clock would start ticking when the report was received on that Friday, therefore the assigned daytime worker would need to ensure the child is seen no later than the following Wednesday. However, if the LDSS received a report of child abuse after hours on a Friday, After Hours staff would need to respond within 24 hours, even in the absence of safety issues.)*

AFTER HOURS STAFFING

Choosing appropriate staff to provide after hours coverage is critical to a successful program and to effective service delivery. The number of staff on call in any jurisdiction depends on the size of the jurisdiction. However, every LDSS is required to have at least one on-call worker and one on-call supervisor available. After Hours staff must have the authority to determine what constitutes an emergency and to respond appropriately. The LDSS must ensure that staff who provide after hours coverage are experienced in handling emergencies and have the requisite skills necessary to screen and investigate allegations of child and adult maltreatment and respond to other emergency situations that may arise when the LDSS is closed. It is essential that the LDSS provide all After Hours staff with a clearly defined chain of command to support the worker if questions arise that need to be addressed.

AFTER HOURS SERVICE DELIVERY

In situations that require client contact, After Hours staff need to be able to respond in a timely and appropriate manner. The decision about whether to make telephone or face-to-face contact depends on the emergent nature of the situation. Primary consideration must be given to the safety and needs of the child or adult allegedly abused or neglected, at risk of harm (ROH), in an OHP, living in a Project Home residence, or under LDSS guardianship. Statute or regulations may also dictate when a face-to-face contact must be made.

When making a decision about screening reports of child or adult maltreatment, After Hours staff should follow regular screening protocols. This includes gathering appropriate information from the reporter and conducting appropriate clearances, which will require the After Hours worker to have access to MD CHESSIE and the internet. See the most current Policy Directive on Child Protective Services Screening for general information, as well as information on ROH and other Non-CPS cases.

AFTER HOURS TOOLS

Manual

Policy Directives: The LDSS should provide all After Hours staff with a manual that contains, at a minimum, the policy directives on:

- How to screen a report;
- Human sex trafficking;
- Child fatality/serious physical injury/critical incident;
- Intimate partner violence;
- Substance-exposed newborns;
- Safe Haven;
- Cross-jurisdictional interviewing;
- Runaway/missing or abducted children; and
- Family Involvement Meetings.

Materials related to child removal: To address the possible need to remove a child, the manual should also include:

- Procedures on how to facilitate a removal;
- Removal forms and forms to be completed regarding the child and given to the provider at the time of the initial placement; and
- An updated list of provider placement options available to accept children based on their ages and needs.

Forms: The manual should contain hard copies of certain blank forms, including:

- SAFE-Cs, SAFE-C OHP and Safety Plans;
- Removal petitions;
- APS 716 series investigative forms and other Adult Services forms needed for investigation or emergency placement.

Resource information: The manual should contain contact information, including:

- An up-to-date listing of community and State resources; and
- Staff phone lists, including home or cell phone numbers for individuals in the chain of command in each program.

Safety information: The manual should contain a written procedure as to how an After Hours worker may ensure his or her safety in a matter requiring the worker to go into the community.

Internet and MD CHESSIE Access

After Hours staff must have access to the internet and be familiar with how to access statutes, regulations, and additional DHR policies.

After Hours staff need access to MD CHESSIE in order to check a client's history with the Department, which may help to make a screening decision, or to determine the safety of a temporary placement resource.

Internet access will also allow After Hours staff to use the Maryland Judiciary Case Search, should that be necessary.

DOCUMENTATION

After Hours staff need to document:

- All calls received; and
- All work completed, whether by telephone or in person.

At the beginning of the next business day, After Hours Staff must give the Screening Unit or, in non-CPS cases, the Screening Unit or appropriate supervisor:

- All notes, whether handwritten or typed, related to After Hours activity, regardless of the service area;
- Copies of all forms completed by After Hours staff;
- Any other material or documents related to After Hours service.

- **In CPS responses or Risk of Harm Cases:** If a SAFE-C or Safety Plan is completed, the information should be entered into MD CHESSIE exactly as it was written by the After Hours worker.
- If the After Hours worker began an investigation, assessment or had to respond to a Child Welfare issue, the information obtained by the After Hours worker must be clearly documented in MD CHESSIE.