

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P.O. BOX 88

JEFFERSON CITY MO 65109

March 18, 2019

TO: ALL CHILDREN'S DIVISION CASE MANAGERS, RESIDENTIAL COORDINATOR SUPPORT TEAM (RCST), AND REGIONAL LICENSING CONSULTANT STAFF

FROM: Christy Collins
Deputy Director, Children's Division

SUBJECT: Critical Incident Reporting by Residential Treatment Agencies for Children and Youth (RTACY)

This is to advise and remind all Children's Division Case Managers, Residential Coordinator Support Team (RCST), and Regional Licensing Consultant staff of Residential Licensing Rule 13 CSR 35-71.070(1)(J) regarding critical incidents.

Critical incidents:

Critical incidents include, but are not limited to: injury of a child during physical restraint; serious physical or sexual aggression by or toward the child; significant physical injuries requiring medical attention; allegations of sexual abuse; criminal conduct involving the child; elopement; attempted suicide; fire setting; child death; and information which must be reported to the child abuse and neglect hotline pursuant to section 210.115, RSMo.

Reporting requirements for children in Children's Division custody:

The agency (residential provider) must contact the regional licensing consultant and case manager **within six (6) hours**. The case manager then notifies the other pertinent team members. The agency then provides the regional licensing consultant and case manager with a copy of the critical incident report within **twenty-four (24) hours** of the occurrence of the critical incident.

Reporting requirements for children not in Children's Division custody:

When a child is not in Children's Division custody, the agency (residential provider) shall verbally notify, **within six (6) hours**, the regional licensing consultant, the child's treatment team, case manager, parent, legal guardian, guardian *ad litem*, and legal custodian and provide them with a copy of the critical incident report **within twenty-four (24) hours** of the occurrence of the critical incident.

Responsibility to gather information:

Case managers are responsible for gathering additional information regarding the child and the incident. Immediate follow-up must be conducted in response to notification of a critical incident. When alerted to a critical incident both the licensing consultant and case manager shall ensure that notice within six (6) hours and that a critical incident report was received within twenty-four (24) hours.

If notice regarding a critical incident is not received within the 6-hour timeframe, upon being made aware of the critical incident, the failure to report the critical incident shall be immediately addressed with the residential provider by the licensing consultant. The case manager is responsible for notifying the licensing consultant if the 6-hour notice is not received. If a critical incident report is not provided to the licensing consultant and the case manager within the 24-hour timeframe, the report shall be requested immediately by the individual that did not receive the critical incident report. Residential providers are responsible for providing both notice and the report in accordance with residential regulations. .

A copy of the Rules for Licensing Residential Treatment Agencies for Children and Youth can be found on the DSS Internet-Children-Residential Program Unit and the CD Intranet-Programs-Residential Program Unit.

Reporting non-compliance:

Any failure to provide notice of a critical incident within the timeframes above, if not immediately corrected by the residential provider, shall be reported. Case management staff shall report non-compliance to the Residential Program Unit at 573-751-4954 or CDAskRPU@dss.mo.gov.

Please contact Jennifer Richter, State Supervisor, Residential Program Unit, at (573) 751-4954, if you have any questions or comments regarding this matter.