



LJ v. Massinga Reporting: **Measure 66**

Date: June 30, 2011 | Revised: April 16, 2020

#	Measure
66	In 95 percent of cases of alleged maltreatment of a child in OHP, BCDSS provided the child's attorney and Plaintiffs' counsel the report of the alleged maltreatment within five days of the report and the disposition within five days of its completion.

Source/Criteria

1. According to the L.J. Modified Consent Decree (MCD, 10/9/09), pp. 23-24,

9. Each child shall be protected from maltreatment in the child's placement to the maximum extent possible.

a. Definitions:

(1) The following steps must be taken whenever a BCDSS employee has reason to suspect abuse, neglect, or other maltreatment of a child in OHP or receives a report of suspected abuse, neglect, or other maltreatment of a child in OHP:

(a) BCDSS immediately shall notify the protective services unit of BCDSS and the pertinent licensing unit of DHR, which shall take all steps required by law or regulation regarding any report of maltreatment that has been accepted for investigation. BCDSS shall visit the placement within twenty-four hours in the case of abuse and within five days in the case of neglect or other maltreatment.

(b) The provisions of this paragraph shall apply upon the entry of a protective order by this Court consistent with the terms of this paragraph. Within five business days of receipt of a report, BCDSS shall notify the attorney for the child, the child's parents and their attorney (unless prohibited or their whereabouts or identity are unknown), Plaintiffs' counsel, caseworkers or other persons responsible for other children in the home or for the home or facility itself, and any other persons that are entitled to notice under state law or regulation. An unredacted (except the name of and identifying information about the reporter and privileged attorney-client material) copy of the report must be provided to the child's attorney and Plaintiffs' counsel. The completed unredacted (except the name of and identifying information about the reporter and privileged attorney-client material) disposition report must be provided to the child's caseworker, child's attorney and to Plaintiffs' counsel within five business days of its

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completion. Parents (except where clinically contraindicated) and other parties entitled to be provided copies under state law or regulation shall receive redacted copies within five business days of completion.

(c) For any report of maltreatment pertaining to a child in OHP, the child's assigned caseworker shall visit the home at least once a week until the complaint is ruled out. If a maltreatment report is not ruled out, the caseworker shall visit the home at least once a week until all children in OHP are removed from the home or until the Juvenile Court orders otherwise or the attorneys for each child in the home and BCDSS agree otherwise.

2. COMAR .7.02.07.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms defined.

(22) "Finding" means a disposition at the end of an investigation that child abuse or neglect is indicated, unsubstantiated, or ruled out and the identification of an individual responsible for unsubstantiated or indicated child abuse or neglect.

(41) "Receiving a report" means obtaining sufficient information about suspected child abuse or neglect to make a decision as to what CPS or other response is appropriate.

3. COMAR .07.02.07.09 Completing the Investigation of Alleged Child Abuse or Neglect.

A. A local department shall complete and document an investigation using assessment tools and forms required by the Administration.

B. A local department or, in a joint investigation, a law enforcement agency shall:

(1) To the extent possible, complete an investigation within 10 days of receiving a report; or

(2) If additional time is required, complete the investigation within 60 days of receiving a report.

C. An investigation is complete when the local department has completed the requirements of Regulation .07A of this chapter and a supervisor has approved the finding.

4. For the purpose of this measure, the parties agree that:

A. "Maltreatment" means maltreatment occurring while a child is in out-of-home placement where the perpetrator is a caregiver to the child. The cases for which reports and dispositions are required to be provided are those cases where the perpetrators or alleged perpetrators are relative foster parents, non-relative foster parents, and group home or residential facility staff. "Relative foster parents" include unlicensed kinship care providers with whom BCDSS placed children in

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OHP¹. Reports where the alleged maltreatment occurred in a period of time in which the child was not in OHP are not included.

B. The Disposition Report will be considered “completed” at the time that the supervisor has approved the finding made by the caseworker.

5. For the purpose of this measure, screened out referrals of neglect or abuse are not considered “reports.”

6. The parties acknowledge the challenge of receipt and distribution of Reports and Dispositions of Maltreatment in Care for children in BCDSS custody from other jurisdictions. BCDSS management will work continuously with the Department of Human Services’ Social Services Administration and directly with leadership of Maryland’s other local departments of social services to resolve this problem, including but not limited to seeking programming in the child welfare system of record to automate notification.

Key Data

Data	Source	Description
Date of Report and Date of Disposition	Child Welfare System of Record	Data fields in System of Record where staff record date of Maltreatment Report and where Date of Disposition is automatically recorded when supervisor approves submission by caseworker
Record of dates of providing reports and dispositions	BCDSS Legal department	Record of dates of providing copies of maltreatment in care reports and dispositions to child’s attorney, Plaintiffs’ counsel and child’s parents and their attorney (unless prohibited or their whereabouts or identity are unknown).

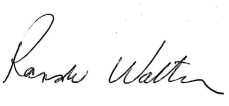
Calculations for Measuring Compliance

Definition	A. Of all reports made during the review period of alleged maltreatment of a child in OHP, the percent where a copy of the report was provided within five business days of the report’s receipt to the child’s attorney, Plaintiffs’ counsel and child’s parents and their attorney (unless prohibited or their whereabouts or identity are unknown).
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¹ See Measure Instruction for Measure 65: 99.68 percent of children in OHP were not maltreated in their placement, as defined in federal law.

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	<p>B. Of all dispositions completed during the review period of maltreatment of a child in OHP, the percent where a copy of the disposition was provided within five business days of the completed disposition to the child’s attorney, Plaintiffs’ counsel and child’s parents and their attorney (unless prohibited or their whereabouts or identity are unknown).</p>		
Denominator	<p>A. Number of reports received during the review period of alleged maltreatment of a child in OHP; and B. Number of dispositions completed during the review period of alleged maltreatment of a child in OHP.</p>		
Numerator	<p>A. Number of reports in Denominator A where a copy of the report was provided within five business days of the report’s receipt to the child’s attorney, Plaintiffs’ counsel and child’s parents and their attorney (unless prohibited or their whereabouts or identity are unknown); and B. Number of children in Denominator B where a copy of the disposition was provided within five business days of the completed disposition to the child’s attorney, Plaintiffs’ counsel and child’s parents and their attorney (unless prohibited or their whereabouts or identity are unknown).</p>		
Units of analysis	<p>Reports and Dispositions – unduplicated reports and unduplicated dispositions are counted</p>		
Inclusion criteria	<p>A. All reports received during the review period of alleged maltreatment of a child in OHP; and B. All dispositions completed during the review period of alleged maltreatment of a child in OHP.</p>		
Data exclusions	<p>Children committed to other states who are assigned to a BCDSS Caseworker under the Interstate Compact in the Placement of Children (ICPC Receiving)</p>		
Six-month calculation methodology	<p>The percentage of reports and dispositions that met this standard will be calculated for each six-month reporting period. Compliance is achieved when the measure calculation for all six months totaled is at least 95 percent.</p>		
Submitted by:	Randi Walters	 Director, BCDSS	5/27/20
	Printed Name		Signature

Approved by: **Rhonda Lipkin**

/s/

4/16/2020

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Printed Name

Signature

Date

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