


Policy Number:	SSA-CW #22-11
Policy Title:	CPS Investigations – Documenting Delays In Seeing Alleged Victims
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Effective Date:	October 1, 2022
Approved By:	Denise Conway, LCSW-C Executive Director, Social Services Administration 
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Originating Office:	Protection, Prevention, and Preservation Services
Required Actions:	Document the reasons for delays in seeing alleged victims of child abuse or neglect and review the documentation
Key Words:	CPS, CJAMS, Time, Investigation, Home Visits
Related Federal Law	N/A
Related State Laws	Md. Code Ann., Fam. Law Art. § 5-706(t) (2022)
COMAR	COMAR 07.02.07.08
Title IV-E State Plan Referenced?	No



Purpose

Family Law § 5-706(c) requires that the local department or law enforcement “see” and evaluate the safety of an alleged victim within 24 hours of receipt of a report of suspected child abuse and within 5 days of receiving a report of child neglect or mental injury. In its 2022 regular session, the Maryland General Assembly enacted legislation to ensure that, when those timelines are not satisfied during a child protective services (CPS) investigation, a supervisor at the local department will receive notification of the delay in order to support staff in making the initial contact and to ensure that the reason the contact was not made with timeframes is appropriately documented. This policy serves to fulfill the statutory requirements imposed by the 2022 legislation and does not modify the local department’s ongoing obligations to fulfill all other timelines provided by other statutes or regulation.

Related Laws and Regulations

The General Assembly inserted a temporary statutory provision codified at Family Law Article § 5-706(t), which imposes the requirements described in the Purpose section of this policy, effective from October 1, 2022 through September 30, 2027. 2022 Md. Laws, Ch. 200 §§ 2, 4.

Scope

This policy applies to any investigative response (IR) of suspected child abuse or neglect, including mental injury.

Policy

If the LDSS or law enforcement agency does not see and evaluate the safety of an alleged child victim within the statutory time period, the law now requires that the worker document the reasons for the delay and that a supervisor be notified to support the worker in making contact. A supervisor may not approve a final investigatory report until the reason for delay is documented.

Procedures and Timeframes

The statutory time period for seeing a child is calculated by the official system of record for child welfare. If a worker does not see the child within those time periods, the worker will be prompted by a pop-up window and must select a reason for the delay from the dropdown options in the official system of record for child welfare.

Documentation of the reason for the delay must be made in accordance to CJAMS’s “How to – Delay in Response Time - Documentation - CPS Case.” Any delay in meeting the response time will be brought to the supervisor’s attention.

When the supervisor is advised that a child victim has not been seen by a worker or an appropriate law enforcement officer within the statutory time period, the supervisor will take actions to ensure the child is seen as soon as possible, such as assigning the initial contact to another worker or requesting assistance from a law enforcement agency. The supervisor must review any documented reasons provided for the delay. The worker and supervisor should refer to SSA CW# 22-03 Access to Children to Conduct CPS response or Provide Family Preservation

Services for more guidance.

If a worker has not documented a reason for the delay, the supervisor must ensure that a reason is documented, even if this requires the supervisor to provide the reason.

If, when reviewing an investigation for closure, a supervisor determines that the worker did not meet the response time, the supervisor may not approve closure of the investigation until the reason for the delay is provided.

Alignment with Practice Model and Desired Outcomes

Prompt engagement with a family after a report of suspected abuse or neglect is critical to effectively assessing risk or safety. The agency cannot team, assess, plan, and intervene until that initial contact is made with a family. Timely responses to reports are essential to building trust and making sure a family has time to assemble their natural supports to evaluate protective factors and mitigate risk of harm to a child.

Documentation

If no timely response is documented, a pop-up notification in the official system of record for child welfare will prompt the worker to provide a reason for the delay. The worker must then select a reason for the delay from a drop-down menu. After the worker has selected the appropriate reason, the worker's supervisor will receive electronic notice of the delay. The supervisor must review the worker's documentation and approve the reason for the delay or reject the reason and request modification from the worker. The investigation cannot be closed until the supervisor approves the reason for delay. Please see "How to Guide: Delay in Response Time - Documentation-CPS Case" for specific instructions.