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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-133

Date: July 26, 1991

Division: Family and Children
Services

TO: Local District Commissioners

SUBJECT: State Central Register Update

ATTACHMENTS: ATTACHMENT A - Revised Policy for Multi-District Jurisdiction for the Investigation of Child Protective Service Reports (not available on line).

As we reach mid-year, we would like to share with you some information and concerns regarding activities of the State Central Register.

VOLUME OF HOTLINE CALLS

Monthly calls to the Hotline in 1991 have increased in volume from the number received for the same time period of 1990. In April of this year we experienced an increase of 27% in the number of calls.

During the months of March and April 1991 we received from 100 to 550 more calls per day than during the same timeframe in 1990. The Hotline takes between 450 to 550 reports daily.

CRITERIA FOR REGISTERING A REPORT
OF SUSPECTED CHILD ABUSE AND NEGLECT

We are often asked what criteria are used in accepting a report of suspected child abuse or maltreatment. A mandated reporter must make a report (and any citizen may report) to the State Central Register when that person has "reasonable cause to suspect" that a child(ren) has been abused or maltreated by a parent or other person legally responsible for his/her care.

Two elements are needed for "reasonable cause" to exist: 1) reasonable person in the same circumstances would suspect that the child's physical, mental or emotional condition has been impaired or is at risk of impairment; and 2) the parent's, guardian's or legally responsible person's acts of commission or omission caused the impairment or risk of harm. The reporter's diagnosis need not be absolute. If the circumstances are such as to cause him/her to feel doubt about the history/story given, if s(he) has cause to doubt the truthfulness of the person who tells him/her about the alleged accidental cause of the injury, or if examinations reveal symptoms and facts inconsistent with the circumstances described, then s(he) has sufficient "reasonable cause to suspect" child abuse and/or neglect.

The source will be asked questions to elicit information as to what they observed or were told to cause them to suspect child abuse or neglect. The SCR worker will also want to know that the child(ren) is under the age of eighteen except in rare situations involving young adults receiving special education. It is necessary for the incident of suspected abuse or neglect to have occurred in New York State. The reporter will also need to know sufficient demographic information in order to commence an investigation.

State Central Register staff will use their expertise to measure the information provided by the source against the definitions of abused and neglected child as defined in Section 1012 of the Family Court Act. They will also determine if the person can be considered legally responsible, even if they are not a parent or guardian. If the person cannot be considered legally responsible, we will take a Law Enforcement Referral.

If a source believes they have a reportable situation and the SCR worker disagrees, it is appropriate to ask to speak to a supervisor for further clarification.

Please ask your staff to emphasize the standards employed by SCR staff in their on-going communications and continuing education of mandated reporters and the general public.

MANDATED REPORTER HOTLINE 1-800-635-1522

Although the Mandated Reporter's Hotline has been in existence for two years a significant number of mandated reporters continue to call the State Central Register using the Public Hotline number (1-800-342-3720). When this occurs the SCR is unable to process the mandated caller immediately.

We request that local districts remind their mandated reporters to use the 1-800-635-1522 Hotline number established exclusively for their use. This number is not for use by the general public and should only be made available to individuals mandated to report suspicions of abuse/neglect as specified in Title 6 Section 413 of Social Services Law.

SCR NIGHT NUMBER

The State Central Register has a night line telephone number (1-800-342-3015) available weekdays from 4:30pm until 8:30am the following day. This number is also available 24 hours on weekends and holidays. This number is only to be used by local district workers for the purpose of contacting the SCR after hours to receive reports, correct a jurisdictional misassignment, or receive technical assistance. No other transactions will be allowed. We ask that local district workers not give this phone number to mandated sources or to the public. When this happens, it decreases your worker's ability to access the SCR. We will not take reports on this line. Callers will be instructed to call the appropriate telephone number in order to make their report.

SCR EMERGENCY OFF-SITE EVACUATION

The SCR has developed plans for maintaining operations in the event that the building needs to be evacuated in the case of an emergency. You will be notified if these plans are undertaken. An alternate telephone number will be provided for your use in accessing SCR personnel. Sources' calls will be automatically switched to our off-site location when they call the Hotline 800 numbers.

We will attempt to conduct business as usual, with the exception that our ability to cross reference names against the database and access records will be diminished. This may result in problems in the assignment of SCR Numbers to Reports of Suspected Child Abuse or Maltreatment. Your understanding in such a situation will be appreciated.

JURISDICTIONAL ASSIGNMENTS AND TRANSFERS

Attached is the revised policy for local district investigation of CPS reports involving more than one district. The attached manual pages are not currently in the CPS Manual but will be included in the soon to be released CPS Manual Update 91-1.

COUNTY LINE REQUESTS ON UNFOUNDED REPORTS/CASES

Any requested County Line transactions on cases which show a " Type N/ Status U" or " Type N/ Status N" on the database cannot be processed. A "Type N" means an unbounding DSS-2223 was last entered into the system and "Status U" means the case is under investigation as the unbounding has not yet been processed by the SCR. A "Type N/ Status N" means the whole case has been unfounded by LCPS and processed by the SCR.

In instances where districts have subsequent reports falling into either of the above Type/Status categories and a new SCR number is needed, we ask that you send us a copy of the report(s) that have been unfounded. Without the report(s) in question, we are unable to complete action on your request.

SCR DATABASE:

I am again asking for your assistance in encouraging your staff to update the SCR database.

Intake staff rely heavily on name spellings, birth dates and addresses to make correct cross reference matches. When information on the SCR database is missing or incorrect then cross referencing is incomplete and incorrect numbering or jurisdictional misassignments can occur. For these reasons it becomes extremely important that your staff update and correct the database by filling out a DSS-2221B whenever new or different demographic information is obtained. This form should not be used to add or change the subjects listed on a report. A new report should be generated to add a subject. The DSS-2223 narrative section should be utilized to clarify the role(s) of all persons who can be considered subjects in all reports.

I hope this information is helpful. If you have any questions about the Hotline, please contact Patricia M. O'Donnell, Assistant Director/Intake, State Central Register at (518) 474-2291.

If you have any questions regarding the revised policy for local district investigation of CPS reports involving more than one district, please contact Jack Nabozny at (518) 474-9579.

Joseph Semidei
Deputy Commissioner
Division of Family and
Children Services