

## ***Safety Plan Rule***

### **5101:2-37-02 PCSA requirements for completing the safety plan.**

- (A) The public children services agency (PCSA) shall immediately develop and implement a JFS 01409 "Comprehensive Assessment Planning Model - I.S., Safety Plan for Children" (rev. 2/2006) if the PCSA determines a child is in immediate danger of serious harm.
- (B) At a minimum, the PCSA shall assess all of the following to determine the degree of intervention necessary to control safety threats and protect the child:
  - (1) The presence of active safety threats.
  - (2) The vulnerability of the child.
  - (3) The protective capacities of the parent, guardian, or custodian.
- (C) If an infant is born and identified as affected by illegal substance use or withdrawal symptoms resulting from prenatal drug exposure, the PCSA shall develop a safety plan as needed, pursuant to paragraph (D) or (P) of this rule.
- (D) If, after the assessment of safety, the safety response is to implement an in-home safety plan or an out-of-home safety plan, the PCSA shall develop a safety plan utilizing the JFS 01409.
- (E) The PCSA and the parent, guardian, or custodian shall mutually:
  - (1) Identify the action steps to control the active safety threats.
  - (2) Identify each individual or community resource responsible for conducting an action step specified on the safety plan.
  - (3) Agree to the participation of that individual or community resource on the safety plan.
- (F) To implement a safety plan utilizing the JFS 01409, the PCSA shall do one of the following:
  - (1) Obtain signatures on the JFS 01409 from the custodial parent, legal guardian, or legal custodian and all persons responsible for a safety plan action step indicating their willingness to participate in the safety plan.
  - (2) If an order of shared parenting has been issued, and there has not been a residential parent designated by the court, the PCSA shall obtain agreement and signatures on the JFS 01409 of both parents.
  - (3) If a custodial parent, legal guardian, or legal custodian or person responsible for an action step is not present to sign the JFS 01409, the safety plan may be implemented with a verbal authorization. The PCSA shall document the date and time the verbal authorization was received.

(G) If verbal authorization is obtained the PCSA shall complete an extension pursuant to rule [5101:2-36-11](#) of the Administrative Code and attempt to obtain the signature(s) on the JFS 01409 within five working days from receipt of the verbal authorization. All attempts to obtain the signature(s) and the reasons why the signature(s) cannot be obtained shall be documented in the case record. The PCSA shall implement alternative safety interventions if the signature(s) cannot be obtained.

(H) The PCSA shall waive the signature of the custodial parent, legal guardian, or legal custodian outlined in paragraph (F) of this rule who is unable or unavailable to sign the safety plan if the PCSA has obtained one signature from another custodial parent, legal guardian, or legal custodian pursuant to rule [5101:2-36-11](#) of the Administrative Code. The reason(s) why the signature cannot be obtained shall be documented in the case record.

(I) The PCSA shall implement alternative safety interventions if a parent, guardian, or custodian or responsible person is unwilling to sign the JFS 01409.

(J) The PCSA shall monitor safety plans to ensure the action steps are controlling the identified safety threats. The monitoring plan requires the following:

- (1) To monitor an in-home safety plan, the PCSA shall conduct weekly home visits. During the home visits, the PCSA shall make face-to-face contact with each child identified on the safety plan and each parent, guardian, or custodian residing in the home.
- (2) To monitor an out-of-home safety plan, the PCSA shall have weekly contact with the children or persons responsible for an action step either by telephone or face-to-face. The PCSA shall have face-to-face contact with each child, parent, guardian, or custodian involved every other week.

(K) If the PCSA determines a safety threat is no longer active or is being controlled through the family's protective capacities and the child is no longer in immediate danger of serious harm, the JFS 01409 shall be discontinued. The PCSA shall notify the parent, guardian, or custodian and each responsible party in writing within two working days of the discontinuation of the JFS 01409.

(L) If the JFS 01409 is modified, the signature of all participants on the modified JFS 01409 prior to its implementation shall serve as notification.

(M) The PCSA shall not close a case if a JFS 01409 is active.

(N) The PCSA shall maintain a copy of the JFS 01409 in the case record and record the JFS 01409 in SACWIS within three working days from the date the first signature is obtained.

(O) If after the assessment of safety the safety response is to implement a legally authorized out-of-home placement, the PCSA shall contact law enforcement and/or remove the child pursuant to rule [5101:2-39-01](#) of the Administrative Code. Completion of the JFS 01409 is not required for a legally authorized out-of-home placement safety response.