

Guidelines for Making Referrals

Pennsylvania Standard III-B outlines that the agency is expected to:

- Establish service linkages between public & private agencies
- Assure family gets planned services
- Assure cultural responsiveness
- Assure timeliness
- Provide referral processes (assessment of availability & readiness)
- Assess service linkages through at least monthly case management contact

This is the standard that establishes “at least monthly” contact for case management cases, in which other service providers are delivering the services directly.

Pennsylvania Standard III-D outlines that the agency is expected to assure service needs by:

- Coordinating delivery of services
- Meeting identified needs
- Achieving permanence through:
 - Ongoing assessments
 - Case management
 - Referral to community resources
 - Advocacy
 - Provisions of supportive & rehabilitative services

Pennsylvania Standard III-H outlines that the agency is expected to provide service delivery that:

- Meets both concrete & therapeutic services
- Meets daily, basic needs
- Meets emotional and developmental needs
- Supports the resolution of problems
- Is culturally sensitivity
- Is provided in a timely manner



Guidelines for Making Referrals (continued)

Standard Information Needed When Making a Referral

- Family Name
- Reason for referral
- Composition of the Family
- Contact Information (address, phone numbers, directions to the home, if home-based services, etc.)
- Desired Outcome(s)
- History of Agency Involvement
- Consent to Release/Exchange Information
- Determination of Eligibility
- Payment Information
- A copy of the Family Service Plan showing the service provider's role and responsibilities
- Requested frequency or contact
- Reporting expectations
- Court requirements

CONFIDENTIALITY OF CYS RECORDS:

CPSL section 6339 – Confidentiality of reports and CPSL section 6340 - Release of information in confidential reports provides guidelines for sharing information. CPSL section 6340(a) (1 thru 15) identifies agencies and persons to whom confidential reports are made available, in addition to agencies in other counties or states where the child has moved. It is important to explain that public or private agencies are not included in the list of persons to whom confidential reports are made available. Therefore, releases of information must be obtained from the individuals in order to share the specifics of the child abuse investigation or finding.

§ 6340. Release of information in confidential reports.

(a) General rule.--Reports specified in section 6339 (relating to confidentiality of reports) shall only be made available to:

(1) An authorized official of a county agency or of an agency of another state that performs protective services analogous to those services performed by county agencies or the department in the course of the official's duties, multidisciplinary team members assigned to the case and duly authorized persons providing services pursuant to section 6370(a) (relating to voluntary or court-ordered services; findings of child abuse).

(2) A physician examining or treating a child or the director or a person specifically designated in writing by the director of any hospital or other medical institution where a child is being treated when the physician or the director or the designee of the director suspects the child of being an abused child or a child alleged to be in need of protection under this chapter.

Guidelines for Making Referrals (continued)

- (3) A guardian ad litem or court designated advocate for the child.
- (4) An authorized official or agent of the department in accordance with department regulations or in accordance with the conduct of a performance audit as authorized by section 6343 (relating to investigating performance of county agency).
- (5) A court of competent jurisdiction, including a district justice, a judge of the Philadelphia Municipal Court and a judge of the Pittsburgh Magistrates Court, pursuant to court order or subpoena in a criminal matter involving a charge of child abuse under section 6303(b) (relating to definitions). Disclosure through testimony shall be subject to the restrictions of subsection (c).
 - (5.1) A court of common pleas in connection with any matter involving custody of a child. The department shall provide to the court any reports and files which the court considers relevant.
- (6) A standing committee of the General Assembly, as specified in section 6384 (relating to legislative oversight).
- (7) The Attorney General.
- (8) Federal auditors if required for Federal financial participation in funding of agencies except that Federal auditors may not remove identifiable reports or copies thereof from the department or county agencies.
- (9) Law enforcement officials of any jurisdiction, as long as the information is relevant in the course of investigating cases of:
 - (i) Homicide, sexual abuse, sexual exploitation or serious bodily injury perpetrated by persons whether or not related to the victim.
 - (ii) Child abuse perpetrated by persons who are not family members.
 - (iii) Repeated physical injury to a child under circumstances which indicate that the child's health or welfare is harmed or threatened.
 - (iv) A missing child report.
- (10) The district attorney or his designee or other law enforcement official, as set forth in the county protocols for investigative teams required in section 6365(c) (relating to services for prevention, investigation and treatment of child abuse), shall receive, immediately after the county agency has ensured the safety of the child, reports of abuse, either orally or in writing, according to regulations promulgated by the department, from the county agency in which the initial report of suspected child abuse or initial inquiry into the report gives evidence that the abuse is:
 - (i) A criminal offense set forth in section 6344(c), not including an offense under section 4304 (relating to endangering welfare of children) or an equivalent crime under federal law or the law of another state, sexual abuse, sexual exploitation or serious bodily injury perpetrated by persons, whether or not related to the victim;
 - (ii) child abuse perpetrated by persons who are not family members; or
 - (iii) serious physical injury involving extensive and severe bruising, burns, broken bones, lacerations, internal bleeding, shaken baby syndrome or choking, or an injury that significantly impairs a child's physical functioning, either temporarily or permanently.

Guidelines for Making Referrals (continued)

(11) Designated county officials, in reviewing the competence of the county agency or its employees pursuant to this chapter. Officials under this paragraph are limited to the following:

(i) The board of commissioners in counties other than counties of the first class.

(ii) Mayor in a city of the first class under the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act.

(iii) An individual serving as a county chief executive as designated by a county home rule charter or optional plan form of government pursuant to the act of April 13, 1972 (P.L.184, No.62), known as the Home Rule Charter and Optional Plans Law.

(12) A mandated reporter of suspected child abuse as defined in section 6311 (relating to persons required to report suspected child abuse) who made a report of abuse involving the subject child, but the information permitted to be released to the mandated reporter shall be limited to the following:

(i) The final status of the child abuse report following the investigation, whether it be indicated, founded or unfounded.

(ii) Any services provided, arranged for or to be provided by the county agency to protect the child.

(13) Persons required to make reports under Subchapter C.1 (relating to students in public and private schools). Information under this paragraph shall be limited to the final status of the report following the investigation as to whether the report is indicated, founded or unfounded.

(14) A prospective adoptive parent, approved by an adoption agency, when considering adopting an abused child in the custody of a county agency. The county agency having custody of the child and the adoption agency shall determine the scope and detail of information which must be provided so that the prospective parent may make an informed decision to adopt.

(15) Appropriate officials of another county or state regarding an investigation related to child abuse or protective services when a family has moved to that county or state. Reports under this paragraph shall include general protective service reports and related information. Reports and information under this paragraph shall be provided within seven calendar days. The department shall promulgate regulations as necessary to carry out the purposes of this paragraph.

(b) Release of information to subject of report.--At any time and upon written request, a subject of a report may receive a copy of all information, except that prohibited from being disclosed by subsection (c), contained in the Statewide central register or in any report filed pursuant to section 6313 (relating to reporting procedure).

(c) Protecting identity of person making report.--Except for reports pursuant to subsection (a)(9) and (10), the release of data that would identify the person who made a report of suspected child abuse or the person who cooperated in a subsequent investigation is prohibited unless the secretary finds that the release will not be detrimental to the safety of that person. Law enforcement officials shall treat all reporting sources as confidential informants.

Guidelines for Making Referrals (continued)

(d) Exclusion of administrative information.--Information maintained in the Statewide central register which was obtained from an investigating agency in relation to an appeal request shall not be released to any person except a department official, as provided by regulation.

Section 3490.91 (a) (1) of the Protective Services Regulations provides guidelines of persons to whom child abuse information shall be available to protect the safety and well being of a child. Included (but not limited to) on the list are:

1. An authorized official of a county agency or of an agency of another state that performs protective services analogous to those services performed by county agencies or the Department in the course of the official's duties, multidisciplinary team members, **and authorized persons providing services (to CYS) by referral.**

Section 3130.44 (c) : Confidentiality of family case records, allows information necessary to protect the safety and well being of a child to be released. Included (but not limited to) on the list are:

...another county agency and **other providers of services** to children and families who are accepted for service by the county agency may have access to and the right to use information identifying recipients of children and youth services. **The amount and type of information to be released shall be determined by the county agency and shall be limited to information needed by the service provider to carry out its responsibilities.** The decision to release information shall be based on the county agency's assessment of the individual case record and the responsibilities of a service provider. Information released may include part or all of the case record.

Guidelines for Making Referrals (continued)



Referrals to Other Social Service Agencies

Use these questions as a guide in order to determine whether or not a specific service provider is appropriate for the family.

- 1) Will the selected services address the contributing factors to the risk of maltreatment?
- 2) Is the service best suited to deal with the particular problems and needs identified during the assessment?
- 3) Will the services be culturally appropriate?
- 4) What skills are required of the service provider? Does he or she have the required competence?
- 5) What factors enhance or prohibit the family's participation and cooperation?
- 6) Could the agency provide the services directly rather than through a purchase of service contract? Are you expected to provide these services yourself? Is that appropriate? Do you have the required competency to do so?
- 7) Can various methods of service delivery be used concurrently? How would this benefit the family?
- 8) How soon are the services available? (Research indicates that families benefit more from intensive services during the first several months of service and are more likely to alter their behavior as close to the initial point of referral as possible.)