

**City of New York
Administration for Children's Services**

Guidance 2009/04

SUBJECT: Children's Services Case Records Management Information Sharing Guidelines

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DATE: July 9, 2009

**IMPLEMENTATION RESPONSIBILITY:
Divisions of Child Protection, Family Permanency,
Family Support Services and Provider Agencies**

PURPOSE: Children's Services program staff are encouraged to share all relevant case-related documentation with provider agencies, in order to promote good case practice and ensure that provider agencies have all information essential to planning and providing services to the children and families in our care. This document provides instructions for sharing information and is specific to documents that are held outside of CONNECTIONS (CNNX).

SCOPE: This guidance applies to Children's Services staff in the Divisions of Child Protection (DCP), Family Permanency Services (FPS), Family Support Services (FSS) and to all provider agencies. These guidelines are to be used whenever printed documents which are not contained in CNNX are being shared with provider agencies. This guidance supplements Children's Services Records Management Procedure dated July 9, 2009, and is effective immediately.

POLICY:

I. SHARING PRINTED DOCUMENTATION

All pertinent, current and historical information [except those listed in (i and ii) below] that are received by the Child Protective Specialist (CPS), either during the investigation or after the investigation is closed must be shared with the provider agency to which the case was transferred. This transfer of information must take place as soon as the opportunity arises [see examples in II (A) and (B) below] and before the case record is sent for storage offsite at the Children's Services contracted warehouse¹.

Certain types of information may not be shared with the provider agency. CPS workers should consult with their supervisor and or a Family Court Legal Services attorney to ensure that the information being shared does not violate any of the following restrictions:²

- (i) All identifying information pertaining to the source of the State Central Register (SCR) report or information in a sealed unfounded report is confidential and shall not be disclosed.

¹ Children's Services will be issuing a Standardized Records Management Procedure that articulates further information on storage of records at the warehouse.

² This is recommended in order to prevent unauthorized access to case record information or to determine if certain information needs to be redacted prior to sending.

(ii) In addition to the above confidentiality restrictions, case information pertaining to the following categories of information has additional limitations on the redisclosure of such information, including the requirement of written consent before redisclosure of such information, except where otherwise permitted by law:

- Substance abuse records;³
- Educational records;⁴
- HIV-related records;⁵
- Medical information and records;⁶
- Mental health information and records;⁷
- Domestic violence records;⁸

Note: These restrictions do not prevent the sharing of DCP-generated assessment tools such as the Domestic Violence Protocol and the Under One Protocol; however, in particular instances, some of the above information may need to be redacted before these tools are shared.

In support of complete and timely information sharing Children's Services staff must ensure:

- A) That there is regular coordination of efforts to share documents that are not contained in CNNX with the exception of those listed in (i) and (ii) above.
- B) That FSS or FPS staff who are currently providing oversight or technical assistance and receive subsequent reports or information about the family, forward that information to the provider agency as soon as the opportunity arises.
- C) That as part of the process of referring a family for Preventive Services, and as part of the process of requesting a Child Safety Conference (CSC), the CPS staff must open a CNNX FSS stage.
- D) That in accordance with the CNNX procedures, CPS and provider agency staff must document, in progress notes or other appropriate areas, the receipt of all documentation that is not part of CNNX.
- E) That as soon as possible, CPS staff should progress each case from CNNX Family Services Intake stage to the Family Services Stage and assign the provider agency a role in the case. Once provider agency staff obtains a role in the Family Services Stage, they must correctly and promptly record pertinent and key points of information from non-CNNX documents in the appropriate sections of CNNX.

When entering information from printed documents into CNNX, discretion should be used to ensure that sufficient information is recorded in order to effectively reflect the events of the case. For example, if a police report was received, staff should enter the date of the report, the name of the officer who took the report, what was reported to have occurred, the place the incident

³ 42 USC § 290dd-2 and 42 CFR § 2.12.

⁴ 20 USC § 1232g and 34 CFR Part 99.

⁵ Article 27F of the NY Public Health Law; 18 NYCRR § 441.22; 18 NYCRR § 431.7; 18 NYCRR § 360-8.1.

⁶ SSL § 373-a; 18 NYCRR § 357.3.

⁷ NY Mental Hygiene Law § 33.13; 18 NYCRR § 313.3; NY Public Health Law § 18.

⁸ Social Services Law § 459-g; 18 NYCRR § 452.10; and 18 NYCRR § 462.9.

occurred, and the actions taken etc. (This is also true for DCP, FPS and FSS staff).

- F) That if there are multiple siblings involved in a case and they are receiving care from multiple agencies (Shared Case), the provider agency with case planning responsibility is expected to convey relevant information directly to all other parties with an assigned caseworker role. It is also expected that caseworkers relay important information as it relates to siblings with the case planning agency.
- G) That if supplemental information is received by the Commissioner's office after the case record has been sent to the warehouse, this information should be disseminated to provider agencies as soon as possible. The FPS Records Management liaison or designee and the FSS Office of Preventive Technical Assistance liaison or designee must ensure that this information is shared with the case management agency before the information is sent to the warehouse for storage.
- H) That in cases where information is time sensitive or urgent and:
 - i. DCP still has case planning responsibility or
 - ii. A provider agency has case planning responsibility and there is a subsequent investigation.DCP staff is expected to share the pertinent information (if appropriate) directly with both the provider agency's Case Planner and Child Planner.

II. METHODS OF SHARING PRINTED DOCUMENTATION

To ensure that provider agencies have the most current and complete information, Children's Services staff members are encouraged to use every possible opportunity to share information with provider agencies by the time the case is transferred to the agency and must do so before the case record is sent to the warehouse for storage. The following is a list of suggested avenues that DCP, FPS and FSS staff may use to share documentation with a provider agency.

A) Division of Child Protection:

- i. Initial Child Safety Conferences;
- ii. Follow-up Child Safety Conferences;
- iii. Provider agency Docushare folders used by Office of Placement Administration (OPA)
- iv. Mail; or
- v. Fax.

Note: *When faxing confidential or case specific information, always notify the person to whom the information is being sent before it is faxed, verify the fax number, and confirm that the information was received by the intended recipient.*⁹

B) Division of Family Permanency and Division of Family Support Services:

- i. Foster Care Placement Preservation Conference;
- ii. Foster Care Reunification/Discharge Conferences;
- iii. Foster Care Goal Change (Conference);
- iv. Permanency Conferences (Service Plan Reviews);

⁹ Refer to 05-OCFS-ADM-02- Case Management Changes Associated with CONNECTIONS Build 18 (February 2005) - p.13.

- v. Preventive Planning Conference;
- vi. Preventive Elevated Risk Conference
- vii. Preventive Service Termination Conference
- viii. Preventive Quality Intervention Conference
- ix. Mail; or
- x. Fax (*see "Note" in "A" above*).

Note: In cases where the information that needs to be shared is urgent, a telephone call should be made to initially convey the information. This must be supplemented with printed documentation as well as a progress note documenting the details of the telephone conversation.

For further information on progress notes guidelines, please refer to Procedure No. 108/ Bulletin No. 05-01, CONNECTIONS *Build 18 Procedures Case Management*. This can be accessed on the Children's Services Intranet by conducting a word search in DOCUSHARE.

Please contact Melody Grissom, Deputy Director of the Policy and Procedures Unit at (212) 341-2848, if you have any questions.