

Child Protective Services: Investigation

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2104.5 Requests for Immediate Short-Term Emergency Care

Requirement

A request made by a legally authorized person (person having physical and legal custody of a child, law enforcement officer, emergency personnel employed by a licensed ambulance provider, fire rescue personnel or hospital administrator/administrator's designee) for emergency care of a child requires an immediate response ([O.C.G.A. 15-11-14](#)). In response to the request:

- Document the request On [Form 453 \(Intake Worksheet\)](#) and screen out for CPS (See [2103.17](#) and [Documentation Chapter 80.1](#));
- Open a case record for a request for short-term emergency care;
- Complete [Form 590 \(Internal Data System\)](#) with Primary Services coded as 01 (PLC) and Legal Status coded as 06 (7-day custody); and,
- Document **all** activity on [Form 452 \(Contact Sheet\)](#).

Procedures/Practice Issues

Do not complete any other CPS forms on a request for short-term emergency care. However, document on [Form 452 \(Contact Form\)](#) **all** steps taken and all information gathered throughout the process.

Case manager immediately establishes contact with the person requesting emergency care to:

- Determine that there is no imminent risk of abuse or neglect, other than risks incurred by children being without a caretaker, and to obtain the approval of the county director or supervisor to proceed with accepting the child for short-term emergency care;
- Determine that there are no factors of child maltreatment present;
- Complete, with the assistance of the person requesting emergency care, **DFCS Authorization to Accept Child for Short-Term Emergency Care** (duplicate the form in Section X, as needed). Complete all sections of the form as all requested information is important. Use [Form 452 \(Contact Sheet\)](#) as needed; and,
- Explain that this request will be handled as a regular CPS report if factors of child maltreatment are present. Placement authority will then be obtained through the Juvenile Court.

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2. Case manager determines condition of child:

- Is medical attention needed?
- Does the child have any medical problems or allergies? Is the child taking any medications? Describe.
- Is the child school age? Where does the child attend school?
- Does the child understand the separation from the physical and legal custodian?

3. Case manager determines the physical and legal custodian's plan for care:

- Does the physical and legal custodian have a specific plan to regain physical custody within seven days? Describe the plan;
- Does the physical and legal custodian have a plan for the child to go to another parent, a relative or someone else within seven days. Describe the plan; and,
- Inform the physical and legal custodian or other person requesting care that the department will petition the Juvenile Court for transfer of legal custody if the custodian's plan cannot be completed within seven calendar (168 hours) days.

4. Case manager proceeds with short-term care arrangements:

- Utilize county emergency shelter or foster care, as needed;
- If the person requesting short-term emergency care for a child is the parent or legal custodian,* that person can designate whomever he/she wishes as a resource for the child;
- If the person requesting short-term care for a child is not the parent or legal custodian (e.g., a law enforcement officer), this person cannot designate for the child to be returned to anyone but the parent/legal custodian;
- If in doubt of the ability of a parent or legal custodian to designate (e.g., heavily medicated), request the physician's opinion, preferably in writing, of the person's ability to make this decision;
- Begin **immediate attempts** to contact the person named as a resource for the child. To the extent possible, make a quick determination of whether the person named has CPS history and, if so, the extent. Is there known history of criminal activity of a nature that would impact the person's ability to meet the child's needs? Is there known physical, psychological, emotional or intellectual limitations that would impair the person's ability to

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care for the child? Although there is not time to do an exhaustive search, check all available resources (PSDS, Sex Offender Registry, etc.). When a resource lives in another state, request that state to check its resources for information. If the information on a placement resource is negative, and no other person has been named, file immediately in Juvenile Court;

- Return a child immediately to a parent or legal guardian at **any** time during the seven days that person requests the child;
- It is **always preferable** for the parent or legal custodian to transfer the child to a the named caretaker. This can be done by taking the child to the location of the parent/legal custodian, who can then transfer the child directly to the designated caretaker. When this is not possible, the person receiving the child must provide the case manager with picture identification prior to the child's release. Complete the **Termination of DFCS Responsibility for Short-Term Emergency Care** (duplicate the form, found in Section X, as needed). Have the physician sign this form whenever there is any question about the competence of the parent/legal custodian to make decision designating a caretaker for a child; and,
- Immediately notify the parent or legal custodian of a child's transfer to a named resource whenever it is someone other than the parent or legal custodian.

5. If plan cannot be completed within seven calendar days (168 hours):

- Make a new CPS report;
- Begin the CPS investigation; and,
- File a deprivation complaint in Juvenile Court, if it has not been or does not appear possible to return the child to the parent or legal custodian or to a designated caretaker. Begin this process by the end of the sixth day to assure that a situation does not develop where a child is without a legal caretaker.

*The legal custodian may be a parent, a legal guardian or a legal custodian chosen by the court.