

OPERATING POLICY & PROCEDURE

TITLE: CHILD PROTECTIVE CUSTODY

NUMBER: 01-03-07

POLICY:

It is the policy of Hospital to cooperate with the Department of Health and Human Services and the Juvenile Court while providing medical treatment for pediatric patients in temporary custody.

PURPOSE:

To provide guidelines that comply with the Nebraska Juvenile Code 43-250.

PROCEDURE:

1. When a juvenile is taken into temporary custody pursuant to subdivision (3) or (4) of section 43-248 of the Nebraska Juvenile Code, the juvenile may be delivered to the custody of the Department of Health and Human Services. The Department shall make a temporary placement of the juvenile and if necessary, consent to any necessary emergency medical, psychological, or psychiatric treatment for such juvenile.
2. The Peace Officer and the Protection & Safety Worker will document information regarding the temporary custody of pediatric patients admitted to, or hospitalized at Hospital in the patient's medical record on a "Child Protective Custody Information" form.
3. The nursing staff will notify the Care Management Department of any pediatric patient taken into temporary custody.
4. The patient is to remain at Hospital unless otherwise directed by the Department of Health and Human Services. If a court order of temporary custody is not issued within 48 hours, the temporary custody by the Department shall terminate and the patient shall be returned to the custody of his or her parent, guardian, or custodian.
5. If a court order of temporary custody is issued to the Department of Health and Human Services, a copy of this order should be placed in the patient's medical record and documented on the "Child Protective Custody Information Form."
6. The Department of Health and Human Services should be contacted for consents for any medical, psychological, or psychiatric treatment of patients in temporary custody. The Protection & Safety Worker assigned to the patient will be responsible for providing this consent. The emergency contact information for the Protection & Safety Worker will be identified on the "Child Protective Custody Information" form.

EFFECTIVE DATE: May 1, 1986

NEXT REVIEW DATE: 11/06 Every 3 yrs

AUTHORIZED BY:

REVIEWED BY: Risk Management

SOURCE:

DATE REVIEWED: 5/2/97; 6/11/03

DATE REVISED: 1) 3/30/88; 2) 9/94; 3) 5/11/00; 4) 11/3/03 (Renamed and Revised Policy - former "Release of Child or Infant: County Attorney or Court Hold:);

7. Only those individuals authorized by the Department of Health and Human Services will be permitted to visit the patient while in protective custody. Those individuals authorized to visit will be documented on the "Child Protective Custody Information" form. Visitation requiring supervision must be arranged with the Department of Health and Human Services.
8. Security and supervision will be provided for the patient consistent with hospital policy. Supervised visitation will be supervised by the Department of Health and Human Services, Hospital personnel are not permitted to supervise visitation.
9. Dismissal of the patient while in temporary custody will be carried out in a manner consistent with the directives of the Department of Health and Human Services and/or an order issued by the Juvenile Court.
 - a. If dismissal is to a person(s) other than the parent or legal guardian, a copy of the court order of temporary custody must be obtained and placed in the patient's chart prior to dismissal.
 - b. The Protection & Safety Worker will sign the Authorization for Release of Child on the back of the "Child Protective Custody Information" form. This authorization will designate the individual or agency authorized to remove the patient from Hospital.
 - c. The nurse will verify the identity of the person to whom the child is released as the person or agent of the agency named in the authorization by the Department. Identification must be established by use of a driver's license with a photograph or when a person is not a licensed driver, two other forms of positive identification must be produced.
 - d. The individual removing the child from Hospital must sign the Receipt for Child on the back of the "Child Protective Custody Information" form.