

10A NCAC 70I .0614 CRITICAL INCIDENTS AND CRITICAL INCIDENT REPORTS

(a) A residential child-care facility shall have written policies and procedures for handling and reporting critical incidents.

(b) Critical incident reports shall be submitted to the licensing authority by the executive director or designee on a form developed by the licensing authority within 72 hours of the critical incident. A copy of the critical incident form ("Critical Incident Reporting Form" DSS-5281) can be obtained from the Division or found on the Division's website at <https://www.ncdhhs.gov/divisions/dss>. Critical incidents involving a child who is a resident of a residential child-care facility include the following:

- (1) a death of a child;
- (2) reports of abuse and neglect;
- (3) admission to a hospital;
- (4) suicide attempt;
- (5) runaway lasting more than 24 hours;
- (6) arrest for violations of state, municipal, county, or federal laws; and
- (7) reports of physical restraint holds.

(c) Documentation of critical incidents shall include:

- (1) the name of child or children involved;
- (2) the date and time of incident;
- (3) a description of incident;
- (4) the action taken by staff;
- (5) a need for medical attention;
- (6) the name of staff involved and person completing the report;
- (7) the name of child's parents, guardian or legal custodian that was notified and date and time of notification; and
- (8) the approval of supervisory or administrative staff reviewing the report.

(d) If there is a death of a child who is a resident of a residential child-care facility, the executive director or his or her designee shall notify the parents, guardian, or legal custodian and the licensing authority within 72 hours.

(e) The residential child-care facility shall have and follow policies and procedures for handling any suspected incidents of abuse or neglect of children involving staff, subcontractors, volunteers or interns. The policies and procedures shall include:

- (1) a provision for reporting any suspicions of abuse or neglect to the appropriate county department of social services in accordance with G.S. 7B-301;
- (2) a provision for recording any suspected incident of abuse or neglect and for reporting it to the executive director or governing body;
- (3) a provision for notifying the parents, guardian, or legal custodian;
- (4) a provision for preventing a recurrence of the alleged incident pending the investigative assessment.;
- (5) a policy concerning personnel action to be taken when the incident involves a staff member, subcontractor, volunteer, or intern;
- (6) a provision for submitting a critical incident report to the licensing authority within 72 hours of the incident being accepted for an investigative assessment by a county department of social services; and
- (7) a provision for submitting written notification to the licensing authority within 72 hours of the case decision by the county department of social services conducting the investigative assessment.

(f) Critical incident reports shall be maintained in a manner consistent with the agency's risk management policies and shall be made available to the licensing authority upon request.

(g) When staff determines that a foster child under the age of 18 is missing, they shall notify the appropriate law enforcement authority within 24 hours.

History Note: Authority G.S. 131D-10.5; 143B-153; P.L. 113-183; Eff. July 1, 1999 (See S.L. 1999, c. 237, s. 11.30); Amended Eff. October 1, 2008; July 18, 2002; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016; Amended Eff. October 1, 2017.