

## **CHAPTER 75-03-19**

### **ASSESSMENT OF CHILD ABUSE AND NEGLECT REPORTS**

#### **Section**

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#### **75-03-19-01. Definitions.**

The terms used in this chapter have the same meaning as in North Dakota Century Code chapter 50-25.1, except:

1. "Assessment" is the means an alternative response assessment, child protection assessment, and family services assessment as defined in North Dakota Century Code chapter 50-25.1-02.
2. "Decision" means the determination made under North Dakota Century Code section 50-25.1-05.1 whether services are required to provide for the protection and treatment of an abused or neglected child.
3. "Department" means the North Dakota department of human services.
4. "Subject" means a person responsible for the child's welfare as defined by North Dakota Century code section 50-25.1-02.

**History:** Effective September 1, 1990; amended effective November 1, 1994; January 1, 1996; January 1, 1996, amendments voided by Administrative Rules Committee effective August 8, 1996; September 1, 1997; July 1, 2020.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05

#### **75-03-19-02. Department's authorized agent to receive reports and conduct assessments - Reimbursement.**

The department's authorized agent shall act as designee of the department for the purpose of receiving reports of suspected child abuse or neglect and conducting assessments, except as otherwise provided for by law or as otherwise determined by the department in a particular case.

**History:** Effective September 1, 1990; amended effective January 1, 1996; July 1, 2006; July 1, 2020.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-02(3), 50-25.1-04, 50-25.1-05, 50-25.1-05.1

### **75-03-19-03. Time for initiating assessments - Emergencies.**

All nonemergency child abuse or neglect assessments must be initiated no later than seventy-two hours after receipt of a report by the assessing agency unless the department prescribes a different time in a particular case. In cases involving a serious threat or danger to the life or health of a child, the assessment and any appropriate protective measures must commence immediately upon receipt of a report by the assessing agency. An assessment is initiated by a search of records for information relating to the report, contact with a subject of the report, or with a collateral contact.

**History:** Effective September 1, 1990; amended effective November 1, 1994; January 1, 1996.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05

### **75-03-19-04. Time for completing assessments.**

Assessments of reports of suspected child abuse or neglect must be completed, a decision made, and a written report completed and submitted to the individual designated by the department within sixty-two days from the date of receipt of the report unless an extension of the time is requested of and granted by the department.

**History:** Effective September 1, 1990; amended effective January 1, 1996; July 1, 2006; July 1, 2020.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05

### **75-03-19-05. Time for submitting written assessment reports.**

Repealed effective July 1, 2006.

### **75-03-19-06. Assessment procedures.**

Assessments of reports of suspected child abuse or neglect must be conducted by the department or its authorized agents in substantial conformity with the policies of the department. Assessments of reports of suspected child abuse or neglect must reflect:

1. An assessment process designed to collect sufficient information to make a decision whether services are required to provide for the protection and treatment of an abused or neglected child;
2. Assessment techniques that include interviewing and observing the subject, the child victim, and other interested or affected persons and documenting those interviews and observations;
3. Conclusions and a summary based on information gathered by assessment techniques described in subsection 2; and
4. If services are required, development of treatment plans based on goals and objectives established by the department or its authorized agent for the subject and for the family of the child victim.

**History:** Effective September 1, 1990; amended effective November 1, 1994; January 1, 1996; July 1, 2006; July 1, 2020.

**General Authority:** NDCC 50-25.1-05, 50-25.1-05.4

**Law Implemented:** NDCC 50-25.1-05, 50-25.1-05.4

#### **75-03-19-07. Caseload standards.**

Any authorized agent designated by the department to receive reports and conduct assessments of reports of suspected child abuse or neglect shall adhere to the caseload standards establishing minimum staff-to-client ratios.

**History:** Effective September 1, 1990; amended effective January 1, 1996; July 1, 2006.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05, 50-25.1-06.1

#### **75-03-19-08. Exchange and transfer of information.**

The department and its authorized agent may exchange or transfer information and records concerning the reports or assessments among and between personnel of each respective agency to the extent necessary to perform the duties and effectuate the purposes set forth in North Dakota Century Code chapter 50-25.1.

**History:** Effective September 1, 1990; amended effective January 1, 1996; July 1, 2006.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05, 50-25.1-11

#### **75-03-19-09. Child abuse or neglect complaint or allegation.**

At the initial contact, the department or its authorized agent shall advise the subject of a report of suspected child abuse or neglect of the specific complaints or allegations made against the individual.

**History:** Effective July 1, 2006.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05, 50-25.1-11

#### **75-03-19-10. Training requirements.**

The department shall maintain a child welfare certification training program to protect the legal rights and safety of children and families. The training curriculum must include the legal duties of child protection services. Each child protective services worker providing child protection services must complete the first available training program upon hiring, unless otherwise approved by the department.

**History:** Effective July 1, 2006; amended effective July 1, 2020.

**General Authority:** NDCC 50-25.1-05

**Law Implemented:** NDCC 50-25.1-05, 50-25.1-11