## Definitions of Terms

LPPH ~~September 2015~~ DRAFT 8927-CCL

**near fatal injury:** The child would likely have died as a result of the injury or medical condition if the child did not get medical attention. In most circumstances, medical intervention includes admittance to an intensive care unit.

##### 6443.1 Obtaining Medical Records

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Procedure

The investigator requests that the parent provide a medical release and requests the medical records during an investigation of child abuse or neglect when the allegations being investigated include:

 a. injuries requiring medical treatment;

 b. serious physical abuse;

 c. medical neglect;

 d. physical neglect;

 e. sexual abuse, if the child received an exam by a sexual assault nurse examiner (SANE);

 f. a fatality; or

 g. a near fatality.

If a child in DFPS conservatorship receives medical treatment or dies, the CPS caseworker obtains the records and provides a copy to the investigator.

If the child is not seen by a medical professional, the investigator must consult with a medical professional to obtain a professional opinion of the child’s medical condition.

The investigator may need to obtain the following types of medical records, depending on the allegations being investigated:

 a. Records from emergency medical services (EMS)

 b. Emergency room and other hospital records

 c. Records from the child’s primary care physician

 d. Records from a specialist who provides care or treatment to a child

 e. Records from a SANE

 f. Autopsy report and other related records from the medical examiner, if the child is deceased

 g. Star Health records

The medical release and all medical records obtained in an abuse or neglect investigation are filed in the confidential abuse or neglect file, and a summary of the information is documented in a contact narrative on the *Investigation Conclusion* page in CLASS.

If an investigation does not involve an allegation of abuse or neglect, an investigator may still request medical records if it is necessary to make a decision regarding the outcome of the investigation.

##### 6622.4 Assigning the Severity to a Reason to Believe Disposition

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Policy

For each allegation assigned a disposition of *Reason to Believe*, the investigator determines the severity of the abuse or neglect that occurred.

Procedure

If the investigator concludes that abuse or neglect has occurred, the investigator selects the appropriate severity level for each allegation on the *Allegation* page in IMPACT according to the table below:

| Level of Severity | Assign when the finding is RTB and … |
| --- | --- |
| Mild |  • no injuries occurred; • there was a threat of harm with no injuries; or • the child was financially exploited. |
| Moderate | the child was harmed, but the injury was not serious or critical. |
| Severe |  • the child was sexually abused; or  • the child suffered a serious injury or has a medical event that resulted or may result in impairment to the child’s overall health or well-being. |
| Near Fatal | without medical attention, the child would likely have died as a result of the injury or illness. |
| Fatal | the child died as a result of abuse or neglect. |

A supervisor may approve assigning a higher or lower severity based on the particular circumstances of the investigation.

Also see [6524.2](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_6400.asp#LPPH_6524_2) Assigning the Severity of the Abuse or Neglect When a Child Dies.

Publication note below: See the revision memo for the renumbering of subsequent items when the new item below is added.

### 6530 Investigation of a Child’s Near Fatality

LPPH DRAFT 8927-CCL (new item)

Policy

Any time a child suffers a near fatality while in care, Licensing investigates to determine whether:

 • abuse or neglect was a factor in the child’s near fatality; or

 • a violation of statute, administrative rules, or minimum standards caused or contributed to the near fatality.

If the treating physician is not a child abuse pediatrician, the investigator may request consultation with a Forensic Assessment Center Network (FACN) physician in order to assign a severity level of *Near Fatal* and determine whether the injury or medical condition was a result of abuse or neglect.