1. Policy
   1. Administrative Complaints about the care, treatment and supervision by the Juvenile Assessment Center (JAC)/Assured Family Services, Care Management Organization Agencies, Spectrum Juvenile Justice Services (subsequently referred to as Contractor), Provider, or Subcontractor will be received, evaluated, and when deemed appropriate, investigated by the Wayne County Department of Juvenile & Youth Services (JYS). Complaints may be submitted by the juvenile, parent, guardian or family member, the Court, JYS, School, Contractor, Provider, or concerned individual.
   2. It is the responsibility of the Contractor and Provider to provide immediate notification as outlined in Section III(A), or as soon as feasible, , upon the occurrence of the Immediate Notification situation, as defined in Section II(F) below, and any updates, to JYS, the Court, and Jurist having jurisdiction over the affected juvenile.
   3. Contractors shall have policies and directives requiring immediate reporting of Immediate Notification situations related to enrolled juvenile. Reporting must be completed on the Immediate Notification situation Report Form in the Juvenile Agency Information System (JAIS). Subcontracts with provider agencies must include a provision that allows JYS on-site access of the subcontractor facilities in order to conduct a complaint examination.
   4. Contractors and Providers are expected to cooperate fully in any examination conducted or requested by JYS. County Contractors must make available their records or those of a participating Provider, which are deemed necessary by JYS, in order to conduct the examination.
   5. Alleged violations of the law that occurred in connection with a Immediate Notification situation or an Administrative Complaint must be referred to the appropriate law enforcement agency as soon as feasible.
   6. The Contractor and Provider shall provide immediate notification as outlined in Section III(A), or if not possible, as soon as feasible, upon any incident triggering a referral to law enforcement agency(ies).
2. Definitions
   1. Administrative Complaint – Administrative Complaints result from unanticipated events and circumstances, allegations thereof, or regarding the provision of services by the Contractor, Provider, or Subcontractor, that may warrant investigation. Complaints related to the provision of covered services, may be submitted by the juvenile, parent, guardian or family member, the Court, JYS, School, Contractor, Provider, or concerned individual. Administrative Complaints do not include Immediate Notification situations.
   2. Child Abuse – Harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare or by a teacher or teacher’s aide, which occurs through non-accidental physical or mental injury; sexual abuse; sexual exploitation; or maltreatment.
   3. Child Neglect – Harm or threatened harm to a child’s health or welfare that occurs through:
      1. Failure to provide adequate food, clothing, shelter, or medical care.
      2. Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, person responsible for the child’s health or welfare, or person who has custodial care of the child to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.
      3. Person Responsible for the Child’s Health or Welfare:
3. A parent, legal guardian, person 18 years of age or older who resides for any length of time in the same house in which the child resides; or
4. An owner, operator, volunteer, or employee of a licensed or unlicensed childcare organization (as defined in Section 1 of Act No. 116 of the Public Acts of 1973).
   1. Child – A person under 18 years of age.
   2. Child Abuse/Neglect Central Registry (CA/NCR) – all reports filed with the State of Michigan pursuant to the Michigan Child Protection Law in which allegations of child abuse or neglect has been sustained and is maintained by the State of Michigan Department of Health and Human services (DHHS).
   3. Immediate Notification– Any serious occurrence or event that includes, but is not limited to, an occurrence or event that interrupts the normal operation, activity or program of enrolled juveniles, placed or places the health or welfare of any persons in jeopardy, and/or requires immediate attention. Immediate Notification situations include, but are not limited to:
      1. Sentinel event.
      2. Alleged criminal offenses (felonies) by juvenile(s);
      3. Alleged criminal offenses of which juvenile(s) is/are victim(s)
      4. Allegations of severe abuse/neglect that lead to hospitalization or removal from the home.
      5. Death of an enrolled juvenile.
      6. Major environmental health, or safety hazard
      7. Health-related emergencies and injuries requiring hospitalization admittance.
      8. Use of any physical or chemical restraint resulting in injury of the juvenile.
      9. Riots or serious disturbances (related to out-of-home placements other than WCJDF that include police involvement);
      10. Alleged sexual misconduct and/or Prison Rape Elimination Act (PREA);
      11. Suicide, suicide attempts or expressed suicidal ideations with a plan or involved hospitalization.
      12. Psychiatric Crisis Admissions.
      13. Escape from a residential facility;
      14. Unauthorized tether equipment removal, damage, or tampering
   4. Preliminary Report - Report to be completed in JAIS by the Contractor to document Administrative Complaints or Immediate Notification situations.
   5. Protective Services – Program services designed to rectify conditions that threaten the health and safety of juveniles, due to the actions or inactions of those responsible for their care.
   6. Protective Services Complaint – Communication to Protective Services of an allegation of child abuse or neglect. The term “complaint” as used in this handbook is interchangeable with the term “report” as used in the Child Protection Law.
   7. Sentinel Event – A serious event that triggers further examination, each time it occurs. It connotes an undesirable and rare event that may include:
      1. Loss of life or function attributed to program operations or treatment decisions.
      2. Rape of a client by staff; or by another client while on the premises or at an agency sanctioned event.
      3. Injury resulting in loss of life, limb or function.
      4. Legal sanctions brought against the agency related to loss of life, limb or function of a client or staff.
5. Procedure
   1. Immediate Notification situation
      1. The Contractor shall immediately, or if not possible, as soon as feasible, provide notice of the occurrence of an Immediate Notification Immediate Notification situation including brief information of who, what, when, why, where and how via email during business hours, to the JYS Director, JYS Juvenile Services Administrator, JYS Program Manager and Contract Manager (or if during non-business hours, consult the Emergency Contact policy 100.6).
      2. The Contractor shall immediately, or if not possible, as soon as feasible, provide notice of the occurrence of an Immediate Notification situation via email during business and non-business hours, as stated below:
6. JYS Director, Deputy Director, Chief Operating Officer, and the Division Director,
7. JYS-JYS Juvenile Services Administrator
   * 1. The JYS shall also immediately, or if not possible, as soon as feasible, provide notice of the occurrence of a Immediate Notification situation via email and telephone to the Deputy Court Administrator – Juvenile Division of the Third Circuit Court, the Jurist, or their designees, of the occurrence of a Immediate Notification situation via JAIS, email and telephone.
     2. The Contractor shall also immediately, or if not possible, as soon as feasible, notify the parties identified in Section III(A)(1, 2, and 3) of any updates or additional information related to the reported Immediate Notification situation via email and telephone, as deemed necessary by JYS, the Court, and/or the Contractor.
     3. The Contractor shall establish a procedure to monitor the occurrence of all Immediate Notification situations, to be outlined in the Contractor’s Quality Assurance Plan.
     4. In addition to the notification procedure for Immediate Notification situations as outlined in Article III, Section A, the additional reporting requirements for Complaints related to Abuse/Neglect and Death, must be adhered to pursuant to State of Michigan laws, policies, rules and regulations.
   1. Abuse/Neglect Complaints (Child Protective Services)

Any incident that may be defined as abuse or neglect pursuant to the State of Michigan Child Protection Law, must be reported to the appropriate investigative entity. This applies to all juveniles under the auspices of JYS.

Anyone who finds reasonable cause to suspect child abuse or neglect of an enrolled juvenile must take the following actions:

* + 1. Immediately report the suspected child abuse or neglect to the State of Michigan Abuse and Neglect Reporting telephone line.
    2. The Contractor shall also immediately, or if not possible, as soon as feasible, notify the parties identified in Section III(A)(1, 2, and 3) of any updates or additional information related to the reported Immediate Notification situation via email and telephone, as deemed necessary by JYS, the Court, and/or the Contractor.
    3. Complete and submit a Report of Actual or Suspected Child Abuse or Neglect (DHHS-3200 – Exhibit 1100.3-A) to DHHS within 72 hours.

1. If the juvenile resides in a Child Caring Institution (CCI) or Child Placing Agency Setting, the allegations must be reported to DHHS–Office of Children and Adult Licensing. This may be completed on-line at the DHHS website.
2. Following a Child Welfare Licensing investigation, the report may be obtained from DHHS.
   * 1. The Contractor and Provider shall immediately, or if not possible, as soon as feasible, notify the parties identified in Section III(A)(1, 2, and 3) of all allegations of abuse and/or neglect, as well as any updates or additional information related to the allegations. A Preliminary

Report regarding the substantiated allegations of abuse and/or neglect shall be completed on JAIS within 2 days.

* 1. Allegations of Police Abuse

Since abuse by police officers does not fit the legal definition of “child abuse,” the Contractor and Provider are not required to report allegations of such behavior to Protective Services, nor are they equipped to investigate such charges. When allegations of police abuse occur, implement the following:

* + 1. If the allegations are in writing, turn them over to the appropriate local law enforcement officials. When written allegations involve child sexual abuse or criminal sexual conduct, a copy of the allegations must be sent to the prosecuting attorney. Inform the individual(s) making the allegation of the authorities to which reports are given.
    2. If allegations are verbal, inform the individual(s) of the appropriate law enforcement officials to whom they are to report the allegations.
    3. The Contractor and Provider shall ensure that all staff members are provided with periodic training on this policy item.
    4. The Contractor and Provider shall immediately, or if not possible, as soon as feasible, notify the parties identified in Section III(A)(1, 2, and 3) of all allegations of police abuse as well as any updates or additional information related to the allegations.
  1. Death Reporting

Contractor and Provider are responsible for following the procedures outlined in Policy Items 401.11 (Discharge of Wardship), 407.3 (WEB Reporting) and

700.8 (Death Reporting) in the event of a death of a juvenile.

* 1. Preliminary Reports
     1. The contractor or provider shall provide notification of a Immediate Notification situation, including a Sentinel Event, as outlined in Section III(A) of this Policy. The Contractor or provider shall also submit a written Preliminary Report (Exhibit 1000.3-B), when the Contractor or provider gains knowledge of a Immediate Notification situation.
     2. Preliminary Reports that are prepared as a result of a Immediate Notification situation, including a Sentinel Event, must be submitted in JAIS within 2 business

days with notification to JYS and the Deputy Court Administrator or its designee(s) utilizing the JAIS distribution list.

* + 1. Preliminary reports for positive drug screens should be prepared and submitted only if the incident follows these criteria:
       1. The youth has received positive screens for severe, illicit substances such as cocaine, opiates, amphetamines, and fentanyl.
       2. The youth has received a positive marijuana screen and is either a probation level 1 youth with repeated positive drug screens and requires substance abuse treatment and or additional services; or is a probation level 1.5 youth on intensive probation in the community and is actively receiving substance abuse treatment.
       3. The youth is a probation level 2 youth in residential has received a positive drug screen for any substance.
    2. The Preliminary Report shall be completed and submitted prior to JYS deciding to commence a formal examination. The same procedure will be followed for complaints received regarding a Subcontractor.
    3. The Contractor is required to maintain, and provide, upon JYS’s request, relevant documents related to the Preliminary Report, including, but not limited to incident reports, police reports, licensing investigation reports, and emergency room/hospital medical documentation.
    4. Preliminary Reports are due within five (5) business days of knowledge of an Administrative Complaint not rising to the level of a Immediate Notification situation.
  1. Review of Preliminary Reports
     1. Upon receipt and review of a Preliminary Report, JYS may determine that no further action is required.
        1. For Preliminary Reports of Administrative Complaints, the Contract Manager may make the selection “No Further Action Required”, and approval in JAIS shall be entered by the Contract Manager and Program Manager.
        2. For Preliminary Reports of Immediate Notification situations, the Contract Manager may make the selection “No Further Action Required”, and approval in JAIS shall be entered by the Contract Manager and Program Manager.
     2. When JYS determines that the Preliminary Report requires further information, the Additional Information section in the Preliminary Report, found in JAIS, will be completed by the Contract Manager. Responses to requests for Additional Information shall be submitted to the assigned JYS Contract Manager within 10 business days of receipt by the Contractor.
     3. If JYS determines that further evaluation is required after receipt of any Additional Information, JYS staff will initiate an examination.

within five business days of the receipt of the Preliminary Report. The Contractor shall:

* + - 1. Provide/facilitate access to the agency;
      2. Make requested documents, records, reports, etc. available for examination and copy;
      3. Make staff available for interviews;
      4. Facilitate/coordinate with the juvenile, family, and other pertinent parties in arranging interviews.
    1. When JYS or Contractor determines that it is necessary to conduct an examination of a Subcontractor, the Contractor shall conduct the complaint examination. Staff from JYS will participate in, and assist the Contractor, with the examination. JYS will collaborate with Contractor staff to complete the complaint analysis process.
    2. In conducting the examination, all interviews conducted shall be done so in a private area to insure confidentiality is maintained.
    3. JYS may conduct an exit conference to present preliminary findings prior to the release of an official report.
    4. A Complaint Examination Report will be completed by JYS within 45 calendar days from the date the examination was initiated, unless the JYS–JYS Division Director approves an extension. Once completed, JYS will release a final report.
    5. If a complaint examination results in findings that the complaint is not substantiated, notice will be transmitted to the Contractor or Provider to formally close the file.
    6. If a complaint examination results in a finding(s) of contractual and/or policy non-compliance, JYS may require the Contractor or Provider to submit a written proposed Corrective Action Plan (CAP) to JYS. When a plan is required, the CAP is due 30 calendar days from the date that JYS transmitted the final Examination Report to the Contractor.
       1. JYS Contract Managers are available to provide technical assistance to contractors for the development of a CAP.
       2. JYS will transmit an approval or denial decision of the proposed CAP within 10 business days of receipt.
       3. The final Complaint Examination Report will specify a cure period for the contractor to remedy the cited non-compliance.
       4. During the cure period, the Contractor may request JYS approval to modify or extend the CAP in the event that it is not correcting the noted deficit.
       5. 10 business days after the end of the specified cure period, the Contractor must conduct an internal assessment of CAP compliance and provide a written status report to JYS.
       6. Upon receipt of the Contractor’s final CAP report, JYS will determine the need for any further action, including follow-up evaluation by the Contract Manager.
    7. When a complaint involving a Subcontractor is substantiated, JYS and the Contractor may issue a joint examination report. The requirements for a CAP will also apply. The Contractor will be responsible for monitoring and monthly reporting on the status of the CAP to JYS.
    8. In the event that JYS renders a determination that a participating provider is not meeting the best interests of a juvenile and/or adhering to JYS policy and quality standards, the JYS Department Director, at its sole discretion, may disapprove the provider.

1. Attachments

1000.3-A Report of Actual or Suspected Child Abuse or Neglect (DHHS-3200) 1000.3-B1 Preliminary Report - JAIS

1000.3-B2 Preliminary Report - Electronic 1000.3-D Immediate Notification Situation Report

1000.3-E Instructions on Completing the Preliminary Report

1. References

401.11 Discharge of Wardship

407.3 WEB Reporting

* 1. Escape Reporting
  2. Death Reporting
  3. Neglect, Abuse and Other Complaints

700.14 Standards of Promptness Policy

700.20 Involuntary Psychiatric Hospitalization