

# **Arizona Citizen Review Panel**

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## **SECOND ANNUAL REPORT**

**DECEMBER 2000**

Arizona Department of Health Services  
Community and Family Health Services



# ARIZONA'S CITIZEN REVIEW PANEL SECOND ANNUAL REPORT

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## Program Background and Purpose

Arizona's Citizen Review Panel program was established in response to the 1996 amendment to the Child Abuse Prevention and Treatment Act requiring states to develop and establish Citizen Review Panels as oversight to the states' child protective services systems. The purpose of this program is to develop recommendations for improvement of child protective services through independent, unbiased reviews by Panels composed of citizens, social service, legal, medical, education and mental health professionals in Arizona. The creation of the Citizen Review Panel Program is an acknowledgment that protection of our children is the responsibility of the entire community, not a single agency. As such, the child protection system is the interaction of numerous agencies and individuals. While the primary focus of oversight will be the Arizona Department of Economic Security/Division of Children, Youth and Families (ADES/DCYF), the Citizen Review Panels shall take into consideration the impact of these other entities and assess whether they support or hinder the state's efforts to protect children from abuse and neglect. The entire community has a stake in protecting the safety of its children.

## Program Structure

The Arizona Department of Health Services (ADHS), through an interagency service agreement with ADES, administers Arizona's Citizen Review Panel Program. During the planning stages of this program it was determined that location of this program outside of ADES, the agency responsible for Child Protective Services, would be critical to achieve the independence necessary for an effective, objective program.

Currently, there are three Citizen Review Panels in Arizona, located in Pima, Yavapai and Maricopa Counties. These counties were selected to reflect the geographic and demographic composition of the state. The willingness demonstrated by these communities to work collaboratively on improving systems for abused and neglected children was also a significant factor in their selection.

Each panel meets at least once a quarter and is responsible for review of Child Protective Services' statewide policies, local procedures, pertinent data sources and individual case records to determine compliance with CAPTA requirements and the State Plan. Through these reviews, the Panels identify system problems, develop recommendations for improvement, identify areas of success and determine if these efforts can be replicated throughout the state. In addition to these duties, the State Panel, located in Maricopa County, provides coordination among the three Citizen Review Panels. The Citizen Review Panel Program Manager provides administrative support and oversees the operation and organization of the program at the state level.

## **Panel Activities**

### ***Planning and Development:***

The first half of this reporting period was primarily devoted to recruitment and training of Panel members; defining the mission, goals and objectives of the Panels; establishment of a systematic review process; identification of sources of data and identification of the focus of the reviews.

Training was provided on Child Protective Services' mandates, policies and organizational structure; CAPTA; child abuse laws; confidentiality and the stages of CPS involvement with a family. Additional training needs will continue to be identified and met.

### ***Citizen Review Panel Policies & Procedures:***

Policies and procedures were finalized and distributed to all Citizen Review Panel members throughout Arizona. This manual provides background information on the Citizen Review Panel Program, guiding principles, organizational structure, membership and duties, confidentiality and access to information, training requirements, CPS processes, record review procedures, program monitoring and evaluation.

### ***Case Record Reviews:***

Arizona's Citizen Review Panels began the process of case record reviews in April 2000. The review protocol evolved since April, with modifications made to enhance the reviews and increase uniformity throughout the three panels. The reviews focus on the beginning stages of CPS involvement with a family, namely

the intake stage, investigation stage, crisis intervention stage, and case determination stage. The State Panel determined the focus of case record reviews, at least initially, would be child fatalities and near fatalities due to abuse or neglect. Priority was given to cases in which there have been prior referrals to Child Protective Services. Local Panels may request additional types of cases to address issues within their communities. Panel members have expressed the belief that reviewing these individual cases has increased their understanding of Child Protective Services. A standard form was finalized for the case record reviews (see attachment) and a database was created to maintain and analyze information generated from reviews. Panels reviewed a total of nine case records for this reporting period.

Case record reviews were used to identify concerns and strengths in the CPS system. Concerns were researched further to determine if changes in policies or procedures would be warranted. If existing policy did not adequately address the concern, the Panel developed recommendations for policy or procedural changes.

For example, one record review revealed the importance of obtaining CPS history from other states. The Panel discussed the apparent difficulty in obtaining information on CPS history from some states. Panel members volunteered to further research this to determine the extent of this problem throughout the U. S.. These members will report their findings to the State Panel, to determine what course of action, if any, is needed.

***Policy Review:***

During this reporting period, Panel members reviewed and provided comments on proposed policy changes on CPS investigations.

***Panel Meetings:***

The Citizen Review Panels have met more frequently than the requirement of once per quarter. The State Panel met five times during this reporting period, completing two case record reviews. The Pima County Panel met five times, completing four case record reviews. The Yavapai County Panel met seven times, completing three case record reviews.

Thanks to the hard work of the Panel volunteers, Arizona's Citizen Review Panel is now fully functioning and has become a valuable tool in Arizona's continuing efforts to improve the quality of children's lives.

## Findings

The Panels' review of nine cases, while not statistically significant, provided Panel members insight into how DCYF responds to reports of child maltreatment. In addition, the reviews provided information on possible trends in the system. Family risk factors were identified by Panels in each review. The following risk factors were identified:

- Lack of parenting skills - 7 cases
- Lack of parental anger control - 5 cases
- Parental substance abuse - 4 cases
- Lack of resources - 4 cases
- Lack of motivation by parent - 4 cases
- Domestic violence - 3 cases
- Disability of parent - 2 cases
- Prior death of a child - 1 case
- Parental mental health issues - 1 case
- Teen parent - 1 case
- Prior reports to CPS - 6 cases

During record reviews, the Panels noted several areas of strengths in Arizona's Child Protective Services, including:

- In eight of the nine cases reviewed, there were no problems noted with compliance to agency policy.
- With few exceptions, there was excellent coordination with law enforcement, medical professionals, and other involved professionals during investigations.
- The various stages reviewed in each record, reflected compliance with CAPTA assurances, with few concerns noted.
- Mandated time frames for responses in the report and investigation stages were achieved in all cases reviewed.
- There was only one problematic issue noted during the reporting stage, which involved failure to identify the extended family members as non-English speaking.

Based on the reviews completed by the Panels, the Arizona Department of Economic Security, Division of Children, Youth and Families is fulfilling its child protection responsibilities. The Panels have developed recommendations, which we believe will enhance Arizona's efforts to protect children.

## **Recommendations**

Recommendations fell into two primary categories: recommendations directed toward DES/DCYF and recommendations for the community.

### ***DES/DCYF:***

- Two of the nine cases reviewed revealed significant difficulties encountered when language barriers were not initially identified and addressed. Arizona has a sizable population for whom English is not their primary language. Failure to immediately identify this may result in a flawed investigation. Currently, the CPS Hotline asks reporting sources if the parents or child have a known language barrier. It is recommended the reporting source be questioned about language barriers for all household members, in addition to the parents and children. Immediate, thorough communication with every household member is critical for the investigation and throughout CPS involvement with the family. Additionally, the Panels recommended that DES/DCYF increase efforts to recruit and retain bilingual case management staff. As a temporary solution, the agency should consider hiring interpreters.
- Two of the child fatality reports reviewed involved medical neglect allegations. The Panel felt that investigations of neglect, in particular, medical neglect were less consistent and thorough than reports alleging abuse. Specific recommendations regarding investigations of medical neglect include:
  - DCYF should develop policies and operating procedures on medical neglect investigations to include medical consultation in all reports of medical neglect with moderate or high risk. The medical consultant should have expertise in child abuse and neglect.
  - DCYF policy should specify that prior to entering a determination of the investigation findings involving a child fatality, autopsy results must first be received.
- Increased funding for prevention programs and alternative response programs such as Family Builders, Family Preservation and Healthy Families.
- The Panel supports plans by DCYF to increase access to Family Builders, by allowing referrals for appropriate families to this program following a

completed investigation by Child Protective Services.

- The Panel further recommends that programs such as Healthy Families be available for families with prior substantiated reports of child maltreatment, when appropriate. Panels identified cases in which the families would have benefitted from Healthy Families, however were not eligible for this service due to prior substantiated referrals.

***Community:***

- The Panel recommended that the Medical Examiners' Offices immediately report, to CPS, child deaths due to natural causes in which medical neglect may have played a role. While the Medical Examiners' Offices do seem to report deaths due to suspected abuse, they may not recognize the importance of reporting deaths that may have been secondary to medical neglect. Chairperson, Dr. Mary Rimsza, agreed to compose a letter on behalf of the Citizen Review Panel, to the Medical Examiners' Offices requesting their office immediately report suspicious autopsy findings, including medical neglect, to CPS.
- The Panel recommended that emergency physicians follow the American Academy of Pediatrics' guidelines for radiologic evaluation of suspected abuse. The guidelines recommend a long-bone series be obtained for infants and children under age 2 years, when there is a suspicion of child abuse. In addition, it is recommended that child abuse always be considered when a non-ambulatory infant presents with a fracture. The Chairperson, Dr. Mary Rimsza, will prepare a letter with these recommendations and a copy of these guidelines to emergency physicians in Arizona.

**OBJECTIVES FOR 2001**

Arizona's Citizen Review Panels have identified the following objectives for the next reporting period:

- Continue review of fatalities and near fatalities of children due to maltreatment to identify systemic problems and recommendations for improvement;
- Continue to collect and analyze data on all case record reviews;

- Review Arizona's State Plan, including Arizona's implementation of the plan and the plan's impact on local communities;
- Analyze the impact of the CPS findings' appeal process, through Arizona's Protective Service Review Team and the hearing process administered by the Office of Administrative Hearings on report findings and outcomes for children;
- Explore how states share information on child maltreatment cases, throughout the nation, to determine if problems exist with this process;
- Hold quarterly meetings with DCYF to advise the agency of findings and to determine what action, if any, the agency has taken to implement the Panel's recommendations; and
- Pursue enabling legislation for the Citizen Review Panel Program, which would provide for greater access to records, provide protection for Panel members from subpoena, and support accountability for recommendations from the Panel.

## Arizona State Citizen Review Panel Members

### Chair:

**Mary Ellen Rimsza, MD**  
Director of Health  
Arizona State University

### Members:

Lisa Barrientos, Detective  
Mesa Police Department

Angela Cause  
AZ Baptist Children's Services

Dyanne Greer, J.D.  
Maricopa County Attorney's Office

Tom Jacobson  
Arizona State University  
Student Health

Karin Kline  
DES/Administration for Children, Youth &  
Families

William N. Marshall Jr., MD  
University of Arizona  
College of Medicine  
Department of Pediatrics

Dorothy J. Meyer  
Indian Health Services

Virginia Richter  
Attorney General's Office

Evelyn Roanhorse  
Bureau of Indian Affairs

Beth Rosenberg  
Children's Action Alliance

Carolyn Rice  
DES/Administration for Children,  
Youth & Families

Rebecca Ruffner  
Director  
Prevent Child Abuse, Inc.

Chuck Teegarden  
Executive Director  
Pinal County Cities in Schools

### Staff:

Susan Newberry  
Program Manager  
Citizen Review Panel Program

Robert Schackner  
Director  
Child Fatality Review Program

Gwen Marshall  
Administrative Assistant  
Child Fatality Review Program

DeAnna Foard  
Administrative Secretary  
Child Fatality Review Program

## **Pima County Citizen Review Panel**

### **Chair:**

William N. Marshall, Jr., MD  
University of Arizona  
College of Medicine, Department of Pediatrics

### **Coordinator:**

Zoe Ann Roe

### **Members:**

Christopher Corman  
Foster Care Review Board, Az Supreme Court

Lori Goenwald, MSW  
Tucson Medical Center

Denise Grenier, MSW  
Indian Health Services

Karen Ives  
Wee Care Baby Proofing

Sharon Katz  
Pascua Yaqui Social Services

Chris Latas, MA, RN  
Kino Community Hospital

Marilyn Malone  
Retired Detective, Tucson Police Department

Rebecca Manoleas  
CASA, Pima County Juvenile Court

Kathleen Mayer  
Pima County Attorney's Office

Joan Mendelson  
Attorney

Cindy Porterfield, MD  
County Medical Examiner

Carol Punske, MSW  
DES/Administration for Children, Youth &  
Families

Cathy Stewart, JD  
Attorney General's Office

## **Yavapai County Citizen Review Panel**

### **Chair:**

Rebecca Ruffner  
Prevent Child Abuse, Inc.

### **Members:**

Ryan Bond  
Assistant Program Manager  
DES/Administration for Children, Youth &  
Families

Joan Crosby  
Project Director  
Prevent Child Abuse, Inc.

Charles Hastings  
County Attorney  
Yavapai County Attorney

Ron Hawley  
Supervisor  
Child Protective Services

Mary Ellen Heintzelman, RN, MSN, CPNP  
YRMC/Partners for Healthy Students

Wendy Johnson  
Detective  
Verde Valley Sheriff's Office

**CITIZEN REVIEW PANEL DATA FORM**

CASE ID # \_\_\_\_\_

DATE OF REVIEW \_\_\_\_\_

**FAMILY MEMBERS**

Relationship	DOB	Gender	Race	Role	Residence Type	County/State

**REPORT HISTORY:**

# of CPS reports on family ; # of prior substantiated CPS reports on family

Date of initial CPS report on family ; Date of most recent CPS report

Report Date	Perpetrator	Victim	Allegation	Risk	Finding

**ALLEGATION SUMMARY:**

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## CASE RECORD REVIEW

### FAMILY RISK FACTORS:

- |                                                 |                                                                                      |                                                                                            |                                                                      |
|-------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Substance abuse        | <input type="checkbox"/> History of violence outside of home                         | <input type="checkbox"/> Lack of parenting skills                                          | <input type="checkbox"/> Prior child death                           |
| <input type="checkbox"/> Mental health problems | <input type="checkbox"/> Lack of physical or mental ability to provide adequate care | <input type="checkbox"/> Lack of resources for adequate food/shelter/medical care/clothing | <input type="checkbox"/> Lack of motivation to provide adequate care |
| <input type="checkbox"/> Domestic violence      | <input type="checkbox"/> Lack of anger control                                       | <input type="checkbox"/> Teen Parent                                                       | <input type="checkbox"/> Other _____<br>_____                        |

**STAGE I: INTAKE AND INITIAL SCREENING**

1. Were the following accurately assigned in the report: (See Response Handout)

a. Risk level (high, moderate, low)?  yes;  no;

Comments: \_\_\_\_\_  
\_\_\_\_\_

b. Response time (standard, mitigated, aggravated)?  yes;  no;

Comments: \_\_\_\_\_  
\_\_\_\_\_

c. Maltreatment category (abuse, neglect, physical, sexual, medical, etc)?  yes;  no;

Comments: \_\_\_\_\_  
\_\_\_\_\_

2. Was the report assigned to the local office in a timely manner?  yes;  no;

Comments: \_\_\_\_\_  
\_\_\_\_\_

3. Was law enforcement notified?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_

4. Recommendations/Comments on Intake/Initial Screening

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STAGE 2 : INVESTIGATION OR ASSESSMENT**

1. Promptness of investigation and assessments

- a. Was the investigation/assessment initiated and completed within the time frame established by agency policy? (See Response Handout)  yes;  no;

Comments: \_\_\_\_\_  
\_\_\_\_\_

- b. Was investigation coordinated with local law enforcement?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_

2. Thoroughness and accuracy of the investigation;

- a. Did the investigation address the required areas of:
  - i. The existence, cause, nature and extent of child maltreatment;  yes;  no;
  - ii. The existence of previous injuries;  yes;  no;
  - iii. Identity of the person responsible for the maltreatment;  yes;  no;
  - iv. Names and conditions of other children in the home;  yes;  no;  n/a;
  - v. Circumstances of the parent, guardian or custodian;  yes;  no;
  - vi. The environment where the child resides;  yes;  no.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b. Were necessary medical/psychological evaluations completed in a timely manner?  
 yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c. Completion and thoroughness of interviews
- i. Were parents, caregivers and the alleged abusive person interviewed?  
 yes;  no;  n/a
  - ii. Was the alleged victim interviewed alone, away from the presence of the alleged abusive person?  yes;  no;  n/a
  - iii. Were other children in the home interviewed?  yes;  no;  n/a
  - iv. Does the case record reflect compliance with the protocol or policy?  
 yes;  no;  n/a
  - v. Was the reporting source or others with knowledge of the maltreatment contacted and interviewed by the investigator?  yes;  no;  n/a

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Was the confidentiality of the reporting source protected?  yes;  no;  n/a

Comments: \_\_\_\_\_  
 \_\_\_\_\_

4. Steps to reduce trauma to child during investigation
- a. How many times was the child interviewed during the investigative process? \_\_\_\_\_
  - b. If the child was interviewed multiple times, was it by more than one interviewer?  
 yes;  no;  n/a
  - c. Were adequate steps taken to reduce trauma to the child?  yes;  no;  n/a

Comments: \_\_\_\_\_  
 \_\_\_\_\_

5. Recommendations/Comments on Investigation Stage

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**STAGE 3: CRISIS INTERVENTION, SAFETY ASSESSMENT, EMERGENCY PLACEMENT, FAMILY STABILIZATION**

1. Safety Issues

- a. Was the safety of the child(ren) ensured?  yes;  no;  n/a
- b. Was a safety and emergency intervention assessment completed to determine the safety of the children?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Was the decision that the child could remain safely in the home or that emergency removal was necessary based upon adequate criteria?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Were appropriate services offered to minimize family disruption and separation?  
 yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. If removal was necessary, were relatives considered as a placement resource?  
 yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_

5. If removal was necessary, was there timely judicial oversight with representation for all parties?  
 yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. If the child was removed did the child receive immediate attention and care that may mitigate effects of the removal?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Comments on Crisis Intervention, Safety Assessment, Emergency Placement, Family Stabilization Stage:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STAGE 4      CASE DETERMINATION**

1. Was sufficient information gathered to make a final determination?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Did the case record documents support the report disposition of substantiated, proposed substantiation or unsubstantiated?  yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Were the following reviews completed before final determination was made?

- a. Review with MDT conflicting medical opinions within 48 hours  yes;  no;  n/a
- b. PSRT review of proposed substantiated findings  yes;  no;  n/a
- c. Written notification to parents of determination  yes;  no;  n/a
- d. Written notification to parents of right to appeal (proposed substantiation).  
 yes;  no;  n/a

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Comments on Case Determination Stage:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



To obtain further information, contact:

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