

**9560.0232 ADMINISTRATIVE REQUIREMENTS.**

Subpart 1. **Service availability.** The local agency shall ensure that child protective services are available on a 24 hour basis to respond to reports alleging imminent danger.

Subp. 2. **Emergency facility.** The local agency shall ensure that a shelter care facility is available on a 24 hour basis for children needing emergency placement.

Subp. 3. **Staffing.** The local agency shall have sufficient staff to perform its duties under parts 9560.0216 to 9560.0234 and shall assign individual responsibility for:

- A. notifying law enforcement under part 9560.0216; and
- B. emergency placement of children.

Subp. 4. **Child protection team.** The county shall establish a multidisciplinary child protection team under Minnesota Statutes, section 260E.02, subdivision 1, and the local agency:

- A. shall participate on the team;
- B. may provide records collected and maintained under part 9560.0230 to the case consultation committee; and
- C. may accept recommendations of the case consultation committee about protective services to be provided under part 9560.0228.

Subp. 5. **Child mortality review panel.**

A. For purposes of this subpart, "local review panel" means a local multidisciplinary child mortality review panel.

B. Under the commissioner's authority in Minnesota Statutes, section 256.01, subdivision 12, paragraph (b), each county shall establish a local review panel and shall participate on the local review panel. The local agency's child protection team may serve as the local review panel. The local review panel shall require participation by professional representatives, including professionals with knowledge of the child mortality case being reviewed.

C. The local review panel shall:

(1) have access to not public data under Minnesota Statutes, section 256.01, subdivision 12, paragraph (c), maintained by state agencies, statewide systems, or political subdivisions that are related to a child's death or circumstances surrounding the care of the child;

(2) conduct a local review of the case within 60 days of the death of a child if:

- (a) the death was caused by maltreatment;
- (b) the manner of death was due to sudden infant death syndrome or was other than by natural causes, and the child was a member of a family receiving social services from a local agency, a member of a family that received social services during the year before the child's death, or a member of a family that was the subject of a child protection assessment; or

(c) the death occurred in a facility licensed by the department if the manner of death was by other than natural causes; and

(3) submit a report of the review to the department within 30 days of completing subitem (2).

A review may be delayed if there is pending litigation or an active assessment or investigation.

D. Under Minnesota Statutes, section 256.01, subdivision 12, paragraph (d):

(1) data acquired by the local review panel in the exercise of its duty is protected nonpublic or confidential data as defined in Minnesota Statutes, section 13.02, but may be disclosed as necessary to carry out the purposes of the local review panel. The data is not subject to subpoena or discovery; and

(2) the commissioner may disclose conclusions of the local review panel, but shall not disclose data classified as confidential or private on decedents under Minnesota Statutes, section 13.10, or data classified as private, confidential, or protected nonpublic in the disseminating agency.

E. Persons attending the local review panel meeting, members of the local review panel, persons who presented information to the local review panel, and all data, information, documents, and records pertaining to the local review panel must comply with the requirements under Minnesota Statutes, section 256.01, subdivision 12, paragraph (e).

F. When the department notifies the local agency that a state review will be conducted under Minnesota Statutes, section 256.01, subdivision 12, paragraph (a), the local agency shall submit a copy of the social services file within five working days.

**Statutory Authority:** *MS s 256.01; 256E.05; 257.175; 393.07; 626.556*

**History:** *13 SR 303; 17 SR 3412*

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