

9560.0228 PROTECTIVE SERVICES.

Subpart 1. **General requirement.** The local agency shall ensure that protective services are provided according to a written protective services plan meeting the criteria under subpart 2, item B, to every child and family who are residents of the county when:

A. a determination of infant medical neglect is made under part 9560.0218, subpart 7, item B; or

B. protective intervention is required or protective services are accepted or authorized under part 9560.0220, subpart 7.

Subp. 2. **Written protective services plan.** The written protective services plan based on the risk assessment in part 9560.0216 must be prepared within 30 days after the assessment is completed. The written protective services plan must meet the criteria in items A to D:

A. A child protection worker shall work with the appropriate members of the family unit, and, if applicable, custodians, guardians ad litem, and, if a tribe has intervened, tribal representatives to formulate the protective services plan and shall provide the appropriate members of the family unit with a copy of the protective services plan signed by the appropriate members of the family unit and the child protection worker. If the appropriate members of the family unit do not sign the plan, the child protection worker shall document the reasons why the appropriate members of the family unit did not sign.

B. The written protective services plan must identify:

(1) the reasons for provision of protective services;

(2) achievable goals of the appropriate members of the family unit to reduce risk of harm to the child, and observable behaviors and timelines that will demonstrate achievement of these goals;

(3) the specific services expected to ameliorate the conditions that present harm to children;

(4) specific tasks to be performed by each appropriate member of the family unit, the child protection worker, and other service providers;

(5) consequences of failure to comply with the written protective services plan; and

(6) a projected date for the quarterly reassessment under subpart 5.

C. For children in out-of-home placement, the local agency may use a substitute care plan under Minnesota Statutes, section 260C.212, in lieu of a written protective services plan.

D. When a family unit has at least one child residing in the home who requires child protective services and at least one child in out-of-home placement, the local agency shall develop both a protective services plan that meets the criteria in items A and B and a substitute care plan under Minnesota Statutes, section 260C.212.

Subp. 3. **Service delivery.** Protective services shall be provided directly or arranged by the local agency. The local agency shall retain case management responsibility including responsibility for planning, coordinating, authorizing, monitoring, and evaluating services.

Subp. 4. **Monitoring services.** The local agency shall monitor the provision of services in accordance with items A to C to assure compliance with the written protective services plan.

A. When a child remains in the home while protective services are being provided, the child protection worker shall:

- (1) meet with the family at least monthly; or
- (2) contact the family at least monthly and ensure that a service provider meets with the family at least monthly; and
- (3) consult with other service providers, if any, at least quarterly.

B. When a child remains in the home while protective services are being provided, the child protection worker's supervisor shall conduct a review at least semiannually. This review must consist of:

- (1) a review of the written protective services plan or other records relating to the family;
- (2) a supervisory conference with the child protection worker; or
- (3) any equivalent method of determining whether appropriate services are being provided.

C. When a child is in out-of-home placement, the local agency shall monitor services in accordance with part 9560.0580.

Subp. 5. **Quarterly reassessment.** The child protection worker and the appropriate members of the family unit shall meet at least quarterly to jointly assess the written protective services plan to:

- A. assess the family unit's progress in achieving goals; and
- B. modify goals, behaviors, tasks, and services that have been achieved or found to be inappropriate.

Subp. 6. **Termination of protective services.** A risk assessment tool under part 9560.0220, subpart 6, item B, must be used when the local agency considers termination

of protective services. Protective services to the appropriate members of the family unit must be terminated when the local agency determines:

A. the goals in the written protective services plan have been accomplished and the appropriate members of the family unit no longer need protective services; or

B. the family unit fails to achieve goals and there are insufficient legal grounds to proceed with court action that would authorize the local agency to provide involuntary protective services, unless the appropriate members of the family unit agree to voluntary protective services.

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

History: *13 SR 303; 17 SR 3412; L 1999 c 139 art 4 s 2; 32 SR 565*

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