



Policy: Physical Health and Treatment

ChildNet Number: CN 003.010

Original Approved Date: July 28, 2010

Policy Revised Date(s): August 27, 2010, March 28, 2014

Policy Sunset Date:

COA Standard(s): FKC 2.05, 10.01, 10.02, 10.03, 10.04, 10.05 and 10.06

Statement of Policy:

Children are to receive all necessary physical health examinations and treatment in a timely and caring manner within the parameters of state law.

Board Chair's Signature:

Date:



Procedure: Physical Health and Treatment

ChildNet Number: CN 003.010

Original Approved Date: July 28, 2010

Procedure Revised Date(s): August 27, 2010, March 28, 2014, March 9, 2016

Procedure Sunset Date:

COA Standard(s): FKC 2.05, 10.01, 10.02, 10.03, 10.04, 10.05 and 10.06

Definitions (If any):

Authorized designee – For purposes of this policy and procedure means a person or agency assigned to perform duties or exercise powers as defined in Chapters 39 and 415, as well as 743.064 and 743.0645, Florida Statutes, to include licensed shelter and foster parents.

Blood testing – This includes Early Periodic Screening, Diagnosis, and Treatment (EPSDT) testing and other blood testing deemed necessary by documented history or symptomatology, but excludes HIV testing and controlled substance testing or any other testing for which a separate court order or informed consent is required, as provided by law.

Consent for Release of Information/Record Form – The ChildNet consent form which requires that the following information, at a minimum, is completed for informed consent to be obtained: name of person whose information is to be released, signature of the person whose information is to be released or the parent/legal guardian of a person who is unable to provide authorization, the specific information to be released, the purpose for which the information is to be used, the date the release takes effect, the date the release expires, the name of the person to whom the information is to be released, and the name of the person within the organization who is providing the confidential information. A person may withdraw his/her consent at any time.

Emergency medical care or treatment – This is the care or treatment for injury or acute illness, disease or condition, delay of which, within a reasonable degree of medical certainty, would endanger the health or physical well-being of the patient. Licensed physicians, osteopathic physicians, emergency medical technicians and paramedics, specified in s. 743.064, Florida Statutes, are authorized to provide such treatment to a minor without parental consent if the minor is unable to name his/her parents or the parents cannot be immediately located by telephone.

Licensed health care professional – For purposes of this policy and procedure means a physician licensed under Chapter 458 or 459, Florida Statutes, a nurse licensed under Chapter 464, Florida Statutes, a physician's assistant certified under Chapter 458, Florida Statutes, or a dentist licensed under Chapter 466, Florida Statutes.

Medical Screening – This includes those non-invasive procedures, including Early Periodic Screening, Diagnosis, and Treatment, performed by an appropriately licensed health care professional and considered necessary to determine if the child is in need of medical



treatment for illness, injury or a communicable disease, including need for immunization. The screening shall not include procedures which require puncture of the skin (other than a blood sample), a pelvic examination, and internal rectal examination, or any such procedure which requires other than external observation concerning an orifice of the body.

Medical examination, care, and/or medical treatment - includes routine, ordinary and necessary medical and dental examination and treatment, including blood testing, preventative care including ordinary immunizations, tuberculin testing, and well-child care, but does not include surgery, general anesthesia, provision of psychotropic medications, or other extraordinary procedures for which a separate court order or informed consent is required, as provided by law.

Parent – For purposes of this policy and procedure, a parent is the legal parent, legal guardian, or other person who has the power to consent as otherwise provided by Florida law. In the case where the parents have had their parental rights terminated, ChildNet is to act as the guardian of the permanently committed child. In acting as legal guardian, ChildNet is required to follow all the procedures outlined in ChildNet policies and procedures and act in accordance with the law.

SACWIS – Statewide Automated Child Welfare Information System

Related Policies:

CN 003.041 - Medication of Children

CN 003.042 - Behavioral Health Services for Children In the Custody of the Department of Children & Families

CN 003.012 - Consents by Parent/Legal Guardian/Child Related to Release of Information/Records and Medical Examination, Care and/or Treatment

Statement of Procedure:

Children receive all necessary medical, dental, developmental, and mental health assessments and treatment within appropriate timeframes.

A. Screening Procedures

1. Unless a child is exhibiting signs or symptoms of illness, an initial health care assessment by a licensed healthcare professional shall be completed for every child placed with a relative, non-relative, or in licensed care within 72 hours of removal. A child who appears to be sick or in physical discomfort shall be examined by a licensed health care professional within 24 hours.
2. Whenever possible, the assessment should be conducted by the child's regular pediatrician, physician's assistant, or nurse practitioner.
3. In instances when the child has not been regularly seen by a pediatrician, physician's assistant or nurse practitioner, the assessment shall be completed by one of the following listed in preferential order:



- a) A physician, physician's assistant, or nurse practitioner selected by the legal parent or legal guardian; or
 - b) Medical staff from the Child Protection Team (CPT), whenever possible.
4. Only non-invasive medical procedures may be used on children during health care assessments unless the child's parent gives permission or a court order has been obtained authorizing the invasive procedure. Any procedure that involves penetration of the child's skin or internal body cavity beyond a natural or artificial body orifice is considered invasive.
5. The licensed health care professional will examine the child for injury, illness, and communicable disease, including the need for immunization. Under Florida law, there is authority for ChildNet to have a child entering shelter status or foster care medically screened without parental/legal guardian consent and without a court order within 72 hours of removal.
6. This medical screening will occur through information provided by Intake and Placement (SafePlace) staff to the Medical Unit who is responsible for scheduling the appointments and ensuring the medical screening is completed timely. The medical screening documentation is obtained by the medical unit and provided to the Child Advocate assigned to the child.
7. Efforts will be made through the parent, guardian or family to obtain information about the child's and family medical history.
8. Effort to coordinate the initial medical screening with child's primary care physician is to be made and if unable to obtain medical history, this initial medical screening is to be coordinated with the ChildNet approved provider who can provide screening within 72 hours. The initial assessment also includes the children's risk of harm to self or others and when risks are identified the information must be used to identify suitable resource families, develop a safety plan with parents and resource families and to have informed decision making.
9. If a medication or medical device needed by the child is secured at the time of removal, an agent of ChildNet must ensure that the out of home caregiver receives appropriate training in its use or administration and storage. The caregiver must have this training and sign off to having had this training prior to administration or use.
10. If, as a result of the medical screening, the licensed health care professional determines that the child is in need of medical treatment that is not an emergency, the assigned Child Advocate is to immediately contact the parents/legal guardian to obtain consent for the treatment, if such consent was not previously obtained, through the execution of the Consent for Medical Examination, Care and Treatment Form. (Please refer to CN 003.012 Consents by Parent/Legal Guardian/Child Related to Release of Information/Records and Medical Examination, Care and/or Treatment).



11. Please refer to CN 003.041 Medication of Children and CN 003.042 Behavioral Health Services for Children in the Custody of the Department of Children & Families for all behavioral health procedures for children.

B. Treatment Procedure

The child's relevant health information, including family medical history, is recorded in the case file as well as in an efficient and secure system known as the Child Resource Record (CRR) and the providers and foster parents/caregivers retain for their records. The CRR is initiated at the point of intake in out of home care and provided to the caregiver and if placement changes occur, the CRR is provided to the next caregiver.

1. Age and developmentally appropriate health care services are provided by qualified professionals to children in out of home care including:
 - a) medical examinations are completed in accordance with the well child guidelines as set by the American Medical Association;
 - b) initial dental examinations within 30 days of entry into care and then every 6 months for children age 3 and older;
 - c) developmental, mental health, and alcohol and drug screenings within 30 days after entry into care, and when indicated to identify the need for further diagnostic assessment; and
 - d) needed mental health and other therapeutic services.
2. Parents receive information about the child's health care, and are encouraged to participate in health appointments and decision making whenever possible, unless parent involvement is contraindicated or parental rights have been terminated.
3. Please refer to CN 003.012 Consents by Parent/Legal Guardian/Child Related to Release of Information/Records and Medical Examination, Care and/or Treatment for issues as to consent for ongoing medical care and extraordinary procedures.
4. Issues regarding birth control devices/pills other than prophylactics, as well as abortions, are not considered routine care.
5. Please refer to CN 003.041 Medication of Children and CN 003.042 Mental Health Services for all behavioral health procedures for children.

Children in Licensed Care

1. Health care services are coordinated for each child to ensure:
 - a) continuity of care;
 - b) receipt of comprehensive healthcare services;
 - c) appropriate communication among health care providers; and
 - d) foster parents and families receive needed information and support



2. ChildNet is to make every effort to ensure children continue receiving healthcare services from previous primary care physician and if not, then establish primary care physician. Children with medically complex issues may be referred to Children's Diagnostic Treatment Center and Children's Medical Services as appropriate.
3. If the case involves a child of Indian descent, the child advocate is to work with tribe to ensure they access and receive appropriate medical care through their tribally contracted health facilities or through the federal Indian Health Services.

Children in Out of Home Care with Relative/Non-Relative

Children receive comprehensive health care services, and ChildNet provides assistance to caregivers to ensure:

1. the child has health insurance benefits;
2. availability of the child's health records;
3. authority to consent for health services is clearly documented;
4. continuity of care; and
5. effective communication of child's health care needs to providers and caregivers.

C. Reproductive Issues

1. Children receive age and developmentally -appropriate support and education regarding:
 - a) safe and healthy relationship
 - b) sexual development
 - c) family planning and effective parenting
 - d) HIV/AIDS prevention and
2. prevention and treatment of sexually transmitted infectious/diseases Birth control devices/pills
 - a) If a child requests birth control, other than prophylactics, the child advocate shall seek parental consent, with the permission of the child.
 - b) The limited provisions wherein a child may consent to her own medications/treatments for this purpose are those situations outlined in F.S 381.0051
3. Abortions
 - a) The process of making the determination regarding whether to maintain a pregnancy to term is a difficult one. To ensure that the wishes of the child who may be pregnant are fulfilled and in order to comport with Rules 8.8 – 8.835 of Florida Juvenile Rules, the child advocate, upon any statement from the child that indicates that she may wish to examine her options regarding her pregnancy, shall facilitate the transport of the child to the Juvenile Clerks Office at the Broward County Courthouse for the purpose of appointment of counsel.



Pursuant to the procedure established in Broward County to comport with Florida law, an attorney ad litem is to be appointed to assist, advise, and represent the child in regards to this matter.

- b) If the child is already represented by an Attorney ad litem, that attorney may also legally advise the child as to her legal rights in obtaining counsel for her decision.
- c) A child's reproduction decisions are not always conveyed to the child advocate. Therefore, where a child advocate deems that a child is sexual active, it may be appropriate to request that an Attorney Ad Litem be appointed so that issues regarding reproduction may be discussed between the child and their Attorney Ad Litem.
- d) In no case shall ChildNet staff give consent for sterilization, abortion, or termination of life support.

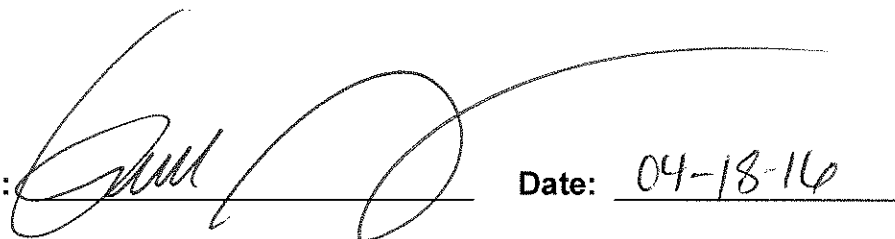
D. Discharge Procedures

- 1. Prior to discharge, the child receives assistance to maintain or obtain:
 - a) health insurance;
 - b) health records;
 - c) medical, dental, developmental, mental health, and substance use treatment services; and
 - d) needed medication.
- 2. Child Resource Record may be given to the child upon aging out of care, the parent upon reunified with the child, and maintained by the relative/non-relative caregiver.

E. Payment

The parent or guardian is still responsible for treatment costs even if they do not consent. The court can oblige the parents to pay. The Child Advocate/Dependency Case Manager will inform CLS Broward/Palm Beach, and request that appropriate legal action be taken.

President's Signature: _____



Date: 04-18-16