ADMINISTRATION FOR
CHILDREN & FAMILIES

DEPARTMENT OF HEALTH & HUMAN SERVICES·USA

Reporting and Tracking Serious Incidents in
Child Care

Regional Webinar
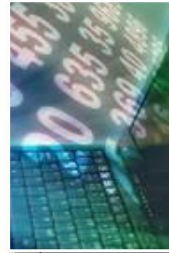
*Office of Child Care

Outline

New Federal Requirements

Defining

Reporting

Tracking

Evaluating

CCDBG Act of 2014
(Public Law 113-186)

The Child Care and Development Block Grant Act (CCDBG) of 2014 added a new requirement that States make public:

- The number of deaths;
- The number of serious injuries; and
- Instances of substantiated child abuse

that occurred in the child care settings each year, for eligible child care providers in the state.

Child Development Block Grant Act of 2014 (658E(c)(2)(D))

Additional Information

Effective Date: Earlier than November 19, 2017 or 1 year after implementation of monitoring policies (658E(c)(2)(K)
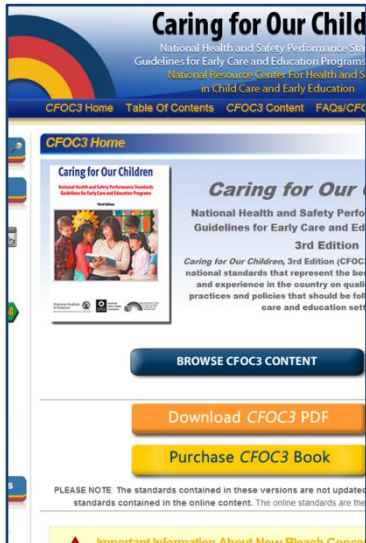
Who is Included: Licensed CCDF providers and License-exempt CCDF providers

Defining

Resource

Caring for Our Children National Health and Safety Performance Standards Guidelines for Early Care and Education Programs, 3rd Edition

Caring for Our Children Basics

Caring for Our Children – Basics

- Voluntary set of minimum health and safety standards for early care and education settings.

- Request for public comment in <u>Federal</u> <u>Register</u> on 12/18/14 to obtain information to help HHS as it further develops the voluntary set of minimum health and safety standards for early care and education settings.

Caring for Our Children Basics
9.2.4.1 - Policies

Written Plan and Training for Handling Urgent Medical Care or Threatening Incidents

The program should have a written plan for reporting and managing any incident or unusual occurrence that is threatening to the health, safety, or welfare of the children, staff or volunteers… [and] should address:

(a) Lost or missing child;
(b) Suspected maltreatment of a child; (also see State's mandates for reporting)
(c) Suspected sexual, physical, or emotional abuse of staff, volunteers, or family members occurring while the are on the premises of the program;
(d) Injuries to children requiring medical or dental care;
(e) Illness or injuries requiring hospitalization or emergency treatment;
(f) Mental health emergencies;
(g) Health and safety emergencies involving parents/guardians and visitors to the program;
(h) Death of a child or staff member, including a death that was the result of a serious illness or injury that occurred on the premises of the early care and education program, even if the death occurred outside of early care and education hours.
(i) The presence of a threatening individual who attempts or succeeds in gaining entrance to the facility.

Office of Child Care
National Center on Child Care Quality Improvement

Sample State Definitions

California: "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

CA Penal Code 243(f)(4). http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=240-248

Sample State Definitions

Texas: "Abuse" means an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.

TX Family Code, 5(E)(261)(E). http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.261.htm

Sample State Reporting Requirements

Georgia: The following incidents must be reported to the Department within twenty-four (24) hours or the next work day:

1. Any death of a child while in the care of the center;
2. Any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the center; …

GA Rules, 591(1)(1)(.29). http://garules.elaws.us/rule/591-1-1-.29

Federal Child Abuse Prevention and Treatment Act

Child Abuse and Neglect: "Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm."

Federal Child Abuse Prevention and Treatment Act, 42 USCA § 5106g.
http://www.acf.hhs.gov/sites/default/files/cb/capta2003.pdf

Discussion Questions

What are the implications of having broad or narrow definitions?

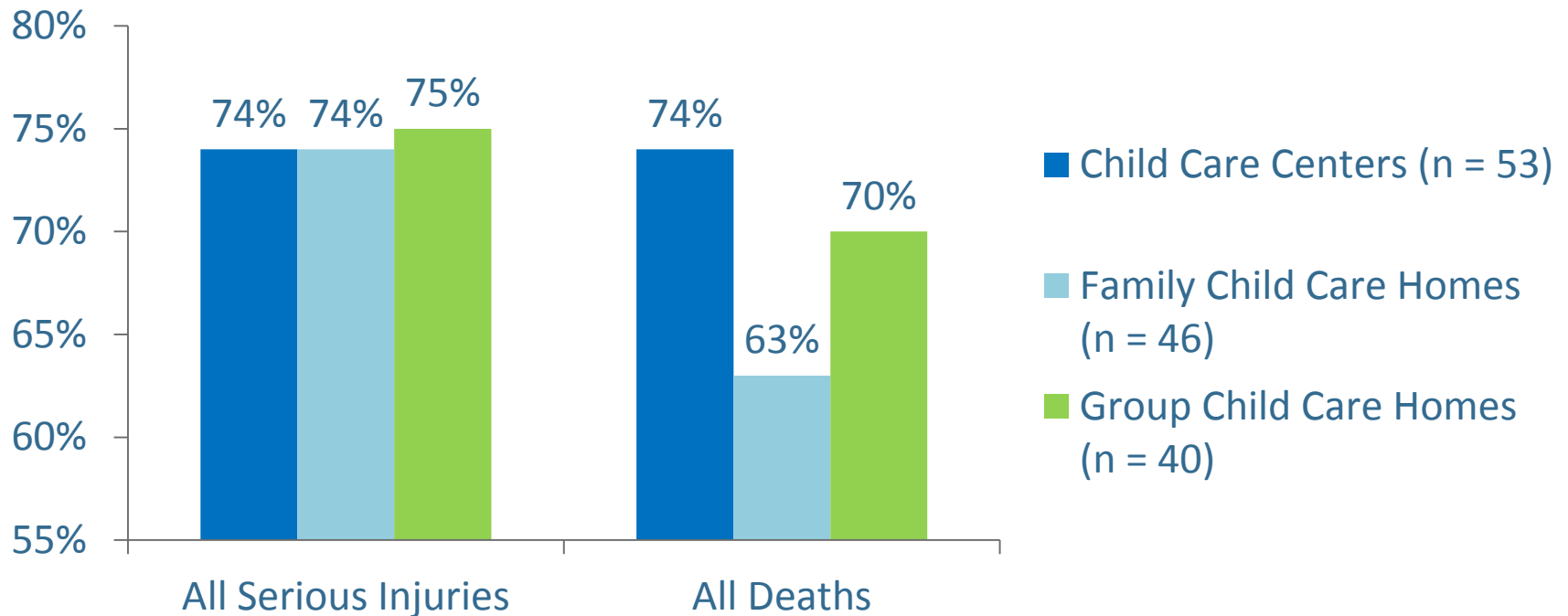Does your State define serious injury or child abuse in requirements for exempt CCDF providers?

Reporting

National Data

Percent of States and Territories that Require Providers to Report Serious Injuries or Deaths in the Child Care Program to the Licensing Agency

- Child Care Centers (n = 53)
- Family Child Care Homes (n = 46)
- Group Child Care Homes (n = 40)

National Center on Child Care Quality Improvement (2015)

Office of Child Care
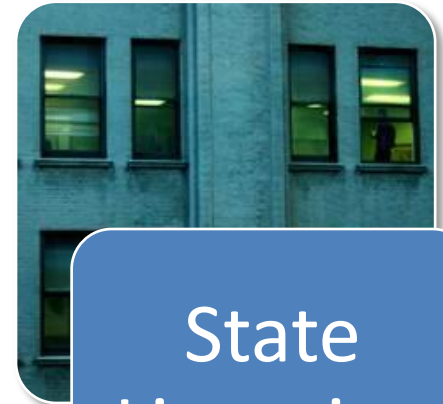*National Center on Child Care Quality Improvement*

Colorado Example

Child Care Provider → Web-Based System ↔ State Licensing Office

Discussion Questions

Will providers underreport if they fear negative sanctions as a result of reporting?

Who substantiates child abuse in a child care program?

Can providers report a program- or classroom-wide incident?

Can providers report several types of injuries to one child?

Tracking

National Data

Number of States and Territories Reporting Injuries in Child Care

Legend:
- Reported Total of 11,047 Injuries — 35
- Reported No Data Available — 17
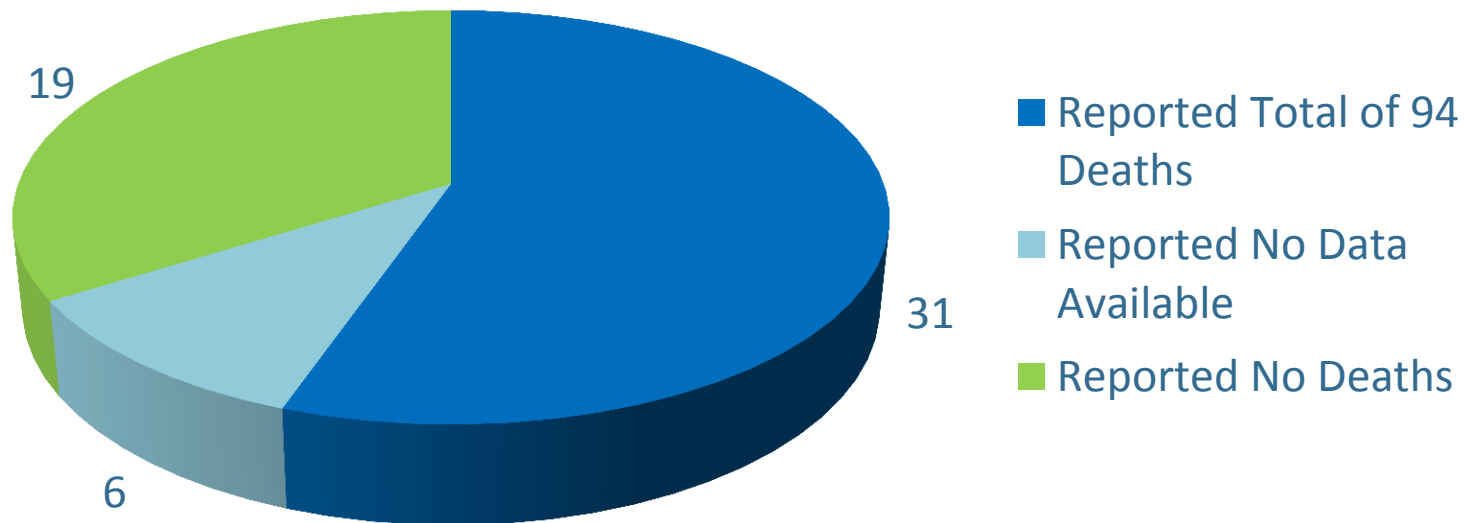- Reported No Injuries — 4
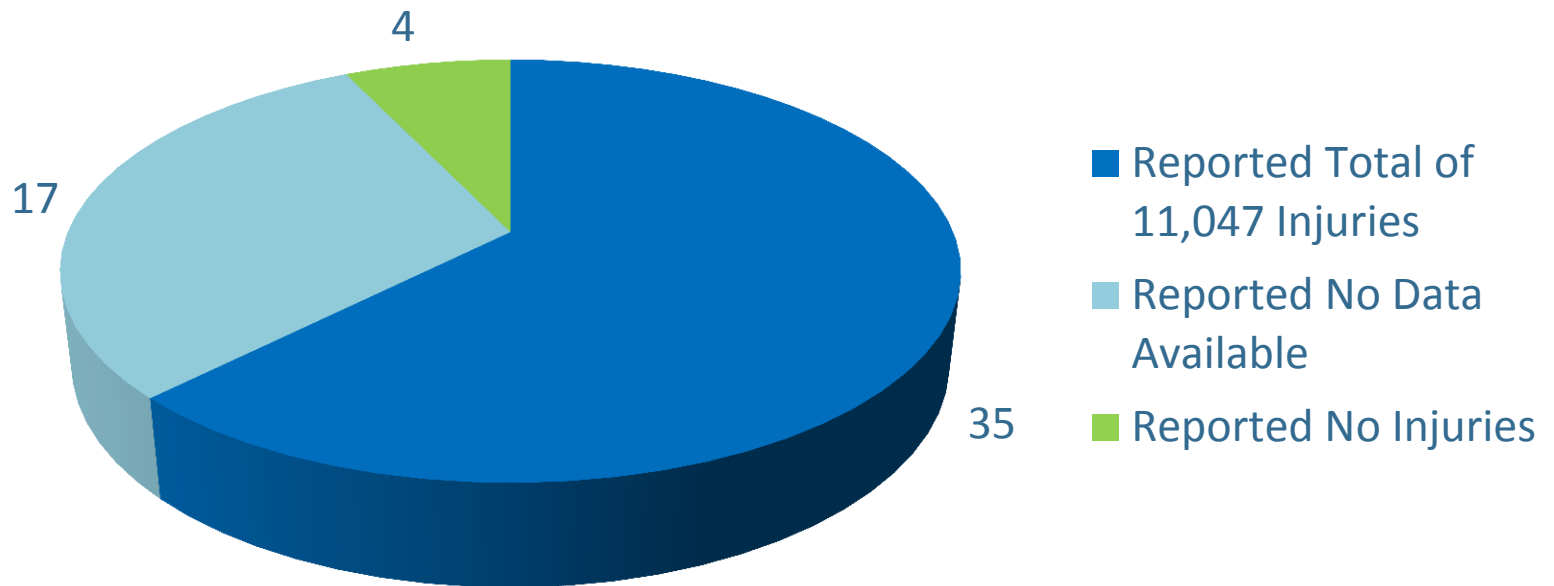
Unpublished data from CCDF State/Territory Plan's Quality Performance Report (2014)

National Data

Number of States and Territories Reporting Fatalities in Child Care

19

31

6

- ■ Reported Total of 94 Deaths
- ■ Reported No Data Available
- ■ Reported No Deaths

Unpublished data from CCDF State/Territory Plan's Quality Performance Report (2014)

Methods for Tracking

Child Care Provider → State/Territory Licensing Office → Provider File → Spreadsheet

Office of Child Care
National Center on Child Care Quality Improvement
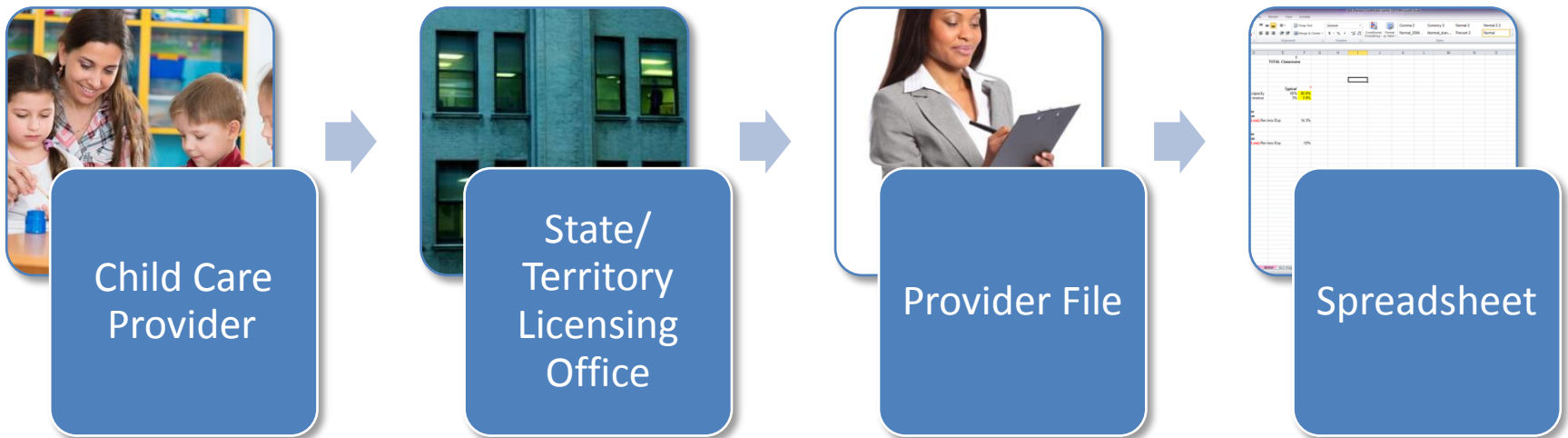
Considerations: Using the Data

Reporting

- Consider building reporting templates into the system

Sharing

- As you plan your system, consider getting input from providers, licensing staff, and State/Territory partners

Improving

- Ensure that the people entering data into the system understand how the data will be used

Office of Child Care

National Center on Child Care Quality Improvement

Discussion Questions

Do you have a system in place to track injuries, deaths, and abuse and to aggregate the data for each?

Who carries out the data collection, analysis and reporting function?
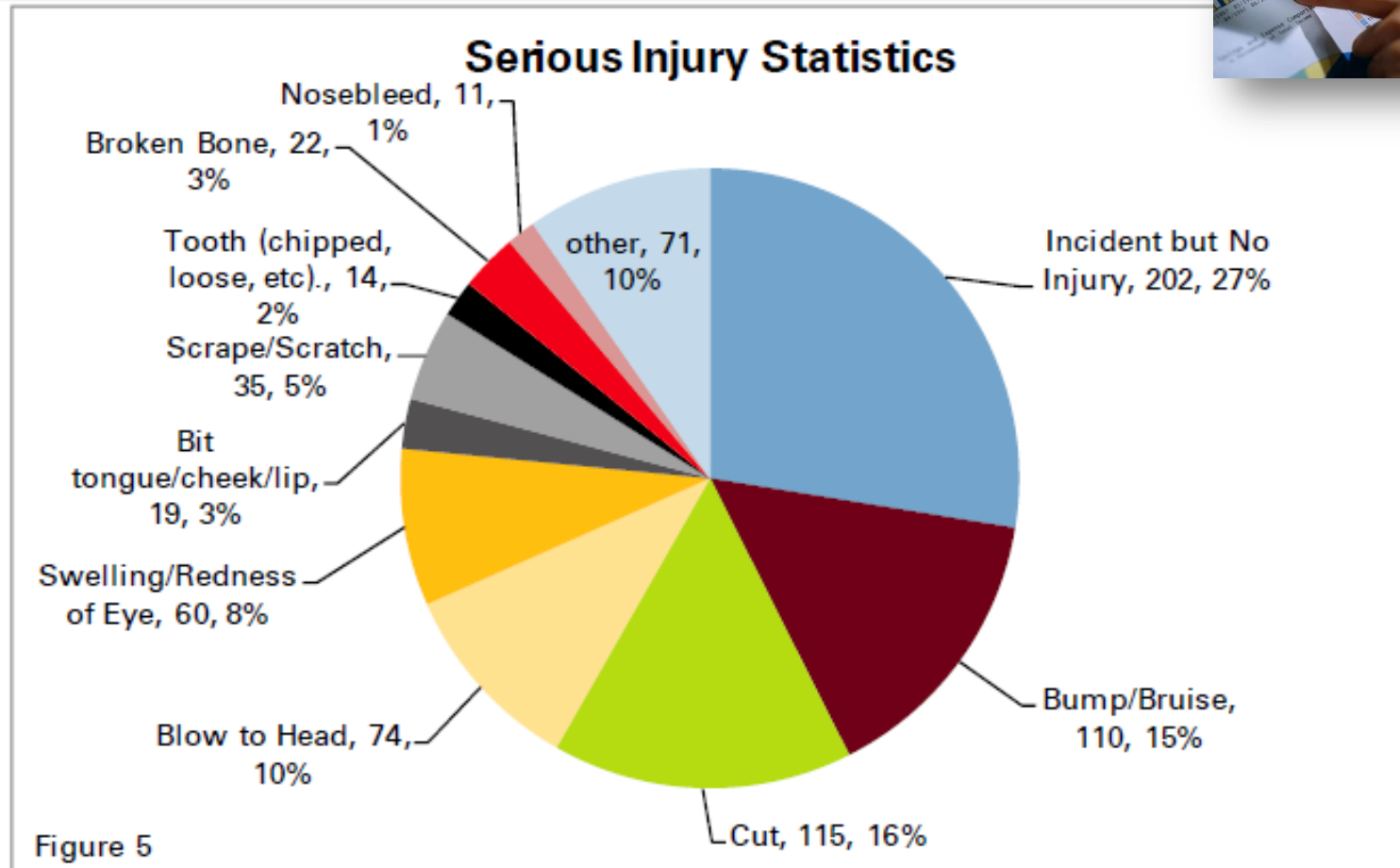
How will data on exempt providers be included?

How does the tracking of fatalities coordinate with work done by States' and Territories' child fatality review boards?

Evaluating

State Example: Ohio

Serious Injury Statistics

Nosebleed, 11, 1%
Broken Bone, 22, 3%
Tooth (chipped, loose, etc)., 14, 2%
Scrape/Scratch, 35, 5%
Bit tongue/cheek/lip, 19, 3%
Swelling/Redness of Eye, 60, 8%
Blow to Head, 74, 10%
other, 71, 10%
Incident but No Injury, 202, 27%
Bump/Bruise, 110, 15%
Cut, 115, 16%

Figure 5

Ohio Department of Job and Family Services Annual Child Care Licensing Report, FY 2012

State Examples

Colorado

- Data will drive rule reduction or rule enhancement

Ohio

- Training and TA
- Different points in year
- Impact across franchise

Contemporary Issues in Licensing: Reporting, Tracking, and Responding to Serious Injuries and Fatalities in Child Care (2014)

State Examples

Georgia

- Strengthened transportation-related rules and enforcement strategies
- Plans to provide training and public awareness on the highest number of injury causes

Texas

- Strengthened playground rules

North Carolina

- Attributed a decrease in fatalities to its required *Infant/Toddler Safe Sleep and SIDS Risk Reduction in Child Care* training and child maltreatment training

Contemporary Issues in Licensing: Reporting, Tracking, and Responding to Serious Injuries and Fatalities in Child Care (2014)

Office of Child Care

National Center on Child Care Quality Improvement

Discussion Questions

How do you use your data?

Can you share the data, by region, with staff?

Resources

- American Academy of Pediatrics, American Public Health Association, National Resource Center for Health and Safety in Child Care and Early Education. 2011. *Caring for our children: National health and safety performance standards; Guidelines for early care and education programs. 3rd edition.* Elk Grove Village, IL: American Academy of Pediatrics; Washington, DC: American Public Health Association. Also available at http://nrckids.org.

- Caring for Our Children Basics; Comments Request, 79 Fed. Reg. 75557 (December 18, 2014). https://www.federalregister.gov/articles/2014/12/18/2014-29649/caring-for-our-children-basics-comment-request

- Carter, J. (2014a). An assessment of the risk of preventable deaths among children in child care in Georgia (2007-2009). Atlanta, GA: Department of Early Care and Learning. http://decal.ga.gov/documents/attachments/fatalityreportfinal1-8-14.pdf

- Carter, J. (2014b). Infant and child injuries in Georgia: A study comparing injuries in child care facilities with infant and child injuries in the general population (using emergency room and hospital data). Atlanta, GA: Department of Early Care and Learning. http://decal.ga.gov/documents/attachments/injuryreportfinal1-8-14.pdf

Resources

- Centers for Disease Control and Prevention. (2012a). Child Injury. CDC Vital Signs. Atlanta, GA: Author. http://www.cdc.gov/vitalsigns/childinjury/

- U.S. Department of Health and Human Services. (2014). *Child Care and Development Block Grant Act of 2014*. Retrieved from http://www.acf.hhs.gov/programs/occ/resource/ccdf-law

- CCDF State/Territory Plan's Quality Performance Report (2014). Unpublished data.

- Colorado Office of Early Childhood YouTube training video on OEC Injury Reporting System. https://www.youtube.com/watch?v=Ec2xVaIrn8o&channel=CDHSCommunication

- National Center on Child Care Quality Improvement (NCCCQI). (2014). *Contemporary Issues in Licensing: Reporting, Tracking, and Responding to Serious Injuries and Fatalities in Child Care*. Washington, DC: Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services. https://childcareta.acf.hhs.gov/resource/contemporary-issues-licensing-reporting-tracking-and-responding-serious-injuries-and

Office of Child Care
National Center on Child Care Quality Improvement

Resources

- NCCCQI (2015). [2014 National Association for Regulatory Administration Licensing Policies and Programs Survey]. Unpublished data.

- Rosa, C. (October 2013). Injury accident reporting: Colorado's quest to engage in informed rule making. Presentation at the 2013 National Association of Regulatory Administration Licensing Seminar. Denver, CO: Colorado Division of Early Care and Licensing, Colorado Department of Human Services. http://www.naralicensing.org/resources/Documents/2013_Seminar/H-2.pdf

- Wrigley, J. & Dreby, J. 2005. Fatalities and the Organization of Child Care in the United States, 1985-2003. American Sociological Review, vol. 70: 729-757. http://www.asanet.org/images/members/docs/pdf/featured/Oct05ASRWrigleyDreby.pdf

Thank You

Phone: 877-296-2250
Email: OCCQualityCenter@icfi.com

National Center on Child Care Quality Improvement

NCCCQI does not endorse any non-Federal organization, publication, or resource.