



## INDIANA DEPARTMENT OF CHILD SERVICES

### CHILD WELFARE POLICY

#### Chapter 7: In-Home Services

##### Section 01: Determining Imminent Risk of Removal

**Effective Date:** April 1, 2022

**Version:** 6

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#### POLICY OVERVIEW

Concerted efforts should be made to prevent the removal of a child. A determination must be made as to whether a child is at imminent risk of removal (placement) (see Definitions) and/or a candidate for foster care. Title IV-E may be received by a state for administrative expenditures made with respect to a child who is determined to be at imminent risk of removal.

**Note:** Indiana Code uses the phrase “imminent risk of placement” rather than “imminent risk of removal”.

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#### PROCEDURE

A child is at imminent risk of removal when Child Abuse and/or Neglect (CA/N) is determined to be substantiated by the Indiana Department of Child Services (DCS), as documented by an approved substantiated Assessment of Alleged CA/N, an Informal Adjustment/Prevention Plan (IA) or In-Home Child in Need of Services (CHINS) case is opened, and reasonable efforts are made to prevent the child’s removal from the child’s home.

DCS will make an initial determination as to whether a child is at imminent risk of removal and therefore a candidate for placement in out-of-home care. Imminent risk as it relates to candidacy (see Definitions) does NOT mean the immediate removal of a child from the home. DCS will re-determine imminent risk of removal at least every 180 days.

The Family Case Manager (FCM) will:

1. Complete the In-Home Risk and Safety Reassessment within 45 days of the Dispositional Hearing or during the development of the IA to make an initial determination and at least every 180 days thereafter to make a re-determination regarding a child being at imminent risk of removal (see policy 7.11 In-Home Risk and Safety Reassessment);

**Note:** A determination of imminent risk will be completed on every child with an open case type of IA or In-Home CHINS.

2. Document the initial determination of imminent risk of removal within 72 hours in the following documents (see Candidacy: Imminent Risk of Removal Fact Sheet):
  - a. Program of Informal Adjustment/Prevention Plan, for IA Cases (see policy 5.09 Informal Adjustment/Prevention Plan), and

- b. Case Plan/Prevention Plan, for In-Home CHINS Cases (see policy 5.08 Developing the Case Plan/Prevention Plan).
- 3. Make a redetermination of imminent risk of removal within 72 hours in the following documents (see Candidacy: Imminent Risk of Removal Fact Sheet for further guidance):
  - a. Progress Report on the Program of Informal Adjustment/Prevention Plan, for IA Cases (see policy 5.09 Informal Adjustment Prevention Plan); and
  - b. Case Plan/Prevention Plan, for In-Home CHINS cases (see policy 5.08 Developing the Case Plan/Prevention Plan).
- 4. Enter any changes in placement or involvement status in the case management system within 72 hours.

The FCM Supervisor will:

- 1. Ensure an imminent risk of removal determination is made and appropriately documented at each required interval; and
- 2. Ensure involvement status and documentation specific to imminent risk are entered in the case management system within 72 hours and approved timely.

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## RELEVANT INFORMATION

### Definitions

#### Candidacy for Imminent Risk of Removal

Candidacy for Imminent Risk of Removal (Based on federal guidance) is defined as:

- 1. Substantiated assessment of CA/N;
- 2. Open Informal Adjustment (IA) or in-home CHINS; and
- 3. Child and/or family will receive or is currently receiving services to prevent the need for removal while the child is living in the child's home.

#### Imminent Risk of Removal

Indiana Code defines a child at imminent risk of removal (placement) as a child less than 18 years of age who reasonably may be expected to face out-of-home placement in the near future as a result of at least one (1) of the following:

- 1. Dependency, abuse, or neglect;
- 2. Emotional disturbance;
- 3. Family conflict so extensive that reasonable control of the child is not exercised; or
- 4. Delinquency adjudication.

### Risk

Risk is the likelihood that a child may experience abuse and/or neglect based on vulnerabilities and exposure to harm. (See Risk and Safety Visual Aid)

### Safety

Safety is protection from immediate harm due to caregiver's abilities to address all known threats. (See Risk and Safety Visual Aid)

### Forms and Tools

- Assessment of Alleged Child Abuse or Neglect (SF113) (311) - Available in the case management system
- [Candidacy: Imminent Risk of Removal Fact Sheet](#)

- Case Plan/Prevention Plan (SF2956) - Available in the case management system
- In-Home Risk and Safety Reassessment - Available in the case management system
- Initial Family Risk Assessment - Available in the case management system
- Program of Informal Adjustment/Prevention Plan - Available in the case management system
- [Progress Report on Program of Informal Adjustment/Prevention Plan \(SF 54336\)](#)
- [Risk and Safety Visual Aid](#)

#### **Related Policies**

- [5.08 Developing the Case Plan/Prevention Plan](#)
- [5.09 Informal Adjustment/Prevention Plan](#)
- [7.11 In-Home Risk and Safety Reassessment](#)

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#### **LEGAL REFERENCES**

- [IC 31-26-5-1: Child at imminent risk of placement](#)
- [42 USC 672 \(i\)\(2\): Administrative costs associated with otherwise eligible children not in licensed foster care settings](#)
- [42 USC 5106a: Grants for programs and projects](#)

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## PRACTICE GUIDANCE – DCS POLICY 7.01

*Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.*

### **Examples of a Child Who is Not at Imminent Risk of Removal**

The following are examples of a child who is not considered at imminent risk of removal:

1. A child in out-of-home care; and
2. A child on a Trial Home Visit (THV) for the initial three (3) months, and/or a child for whom an extension of the THV has been granted by the court.

### **Risk Reassessment**

The Risk Reassessment is included in the In-Home Risk and Safety Reassessment and is used by the FCM throughout the life of the child welfare case to determine the presence of risk factors that indicate the likelihood of future child maltreatment. The Risk Reassessment also assists the FCM in evaluating whether risk levels have decreased, remained the same, or have increased since the completion of the Initial Family Risk Assessment.

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