

Department of Early Learning

10.1.17

Child Fatality and Near Fatality Case Review Procedure

The primary purpose of the fatality review is to develop recommendations to the Department of Early Learning (DEL) and the Legislature to strengthen health and safety protection for children.

1. The Child Care Statewide Licensing Administrator (CCSLA) determines when a fatality incident meets the requirement for a child fatality review as defined by RCW 43.215.490.
2. The CCSLA will consult with the Office of the Family & Children's Ombuds to determine if a review will be conducted in the case of a near fatality that occurs in a licensed early learning program.
3. A Licensing Analyst (LA) is assigned to organize, facilitate, and complete the review ensuring the review does not interfere with any ongoing investigation regarding the specific child fatality or near fatality.
4. The LA will notify the applicable Licensing Analyst Supervisor and Regional Administrator (RA) when a case is assigned for review.
5. The LA will review all DEL electronic case files and arrange for a print copy of the licensing file.
 - a. The LA will determine whether additional files from providers or entities other than the Department of Early Learning are pertinent and will arrange for review.
 - b. After completing a comprehensive review of the case documents, the LA will prepare a detailed chronological case summary.
6. The LA will arrange the fatality review which includes scheduling the date, arranging the location and notifying the participants.
7. The LA will contact the following as potential participants of the review committee:
 - a. Individuals with appropriate expertise including, but not limited to: experts outside the DEL with knowledge of licensing requirements, a law enforcement officer with investigative experience, a representative from a county or state health department, and a child advocate with expertise in child fatalities; and
 - b. A parent or guardian who has had a child die in a child care setting.
8. The DEL must ensure that no participant in the review team has had previous involvement in the case.
9. The parent(s) or guardian(s) whose child's death is being reviewed must be allowed to testify to the child fatality review committee.
10. The LA will complete and submit the report to the CCSLA one week prior to the 180 day deadline. The CCSLA will consult with the DEL Director.
11. Within 180 days following the incident, the LA must issue a report on the results of the review. A request for an extension can only be approved by the governor.

Department of Early Learning

12. Confidential information must be redacted from the final report by the DEL consistent with RCW13.50.100, 68.50.105, and 74.13.500 through 74.13.525, chapter 42.56 RCW.
13. All child fatality review reports must be distributed to the appropriate committees of the legislature and be posted and maintained on the DEL public website.

Definition

Near Fatality: An act that, as certified by a physician, places a child in serious or critical condition.