

October 1, 2024

Multi-Disciplinary Reviews of Unfounded Cases Legislative Report Services Fiscal Year 2024

In accordance with the Abused and Neglected Child Reporting Act (ANCRA), the Illinois Department of Children and Family Services (DCFS) maintains a Multidisciplinary Review Committee system to assure mandated reporters have a system for the review of unfounded allegations. The system is called Second Review. A Multidisciplinary Review Committee is comprised of a health care professional, Department employee, law enforcement official, licensed social worker, and a representative of the State's Attorney office. Individuals are appointed to the committees based on their prior experience with child abuse and/or neglect cases.

The Department's process for Second Reviews of unfounded allegations is a three-tier process to ensure the mandated reporter has the greatest opportunity to provide input into the investigation and express concerns.

Tier 1

Upon completion of the investigation, the local Child Protection Specialist verbally notifies the mandated reporter of the recommended unfounded finding. In addition, the mandated reporter is mailed a final finding notification letter from the State Central Register (SCR) within two days of the completion of the investigation. This letter informs the mandated reporter of their right to request a review of an unfounded investigation if the reporter has concerns about the adequacy or accuracy of the investigation final finding.

Requests for this review must be made in writing to the Administrator of the State Central Register within ten (10) days of receipt of the notification letter. Mandated reporters can mail or fax this letter to SCR. The letter should contain specific reasons and documentation the mandated reporter believes supports an indicated finding.

The Deputy Director of SCR or designee reviews the review request for merit and timeliness. If these criteria are met, the Deputy Director of SCR or designee places the investigation into "review" status until a resolution to the disputed finding is reached. When placed in review, the investigation returns to pending status and is not yet closed.

Tier 2

The review request is then forwarded to one of the Statewide Compliance Administrators. Within five (5) days the Statewide Compliance Administrator or designee contacts the mandated reporter to discuss his/her information and concerns regarding the unfounded finding. The Statewide Compliance Administrator or designee reviews the investigative records and speaks with the Child Protection Specialist and supervisor to reach a decision regarding the final finding of the case. The Statewide Compliance Administrator or designee can render a decision to have the finding remain unfounded or reversed to an indicated finding if the evidence contained within the investigation supports an indicated finding. The Statewide Compliance Administrator or designee will again reach out to the mandated reporter to discuss the result of the review and attempt to resolve the disputed investigative finding. If a resolution is reached, the Deputy Director of SCR or designee is informed of the agreed upon finding, and the investigation is taken out of review status and closed.

If the Statewide Compliance Administrator or designee and mandated reporter cannot come to a resolution regarding the final finding of the case, the Deputy Director of SCR is informed, and the review moves to a hearing by a multidisciplinary team comprised of individuals identified above. The multidisciplinary team will schedule a hearing within thirty days (30) of notification of request for a review. Both the Statewide Compliance Administrator or designee and the mandated reporter will be invited to the hearing to make a case

presentation. The multidisciplinary team will decide within ten (10) days of the hearing and notify the identified Associate Deputy Director for Child Protection who will accept or reject the decision.

Tier 3

If rejected, the Associate Deputy will review the merits of the case and make a final decision regarding the finding and notify the Statewide Compliance Administrator, mandated reporter, and SCR of the final finding. The Deputy Director of SCR (or designee) will ensure the final finding is correct for the investigation and issue a final notification letter to the subjects of the report.

The three-tiered review approach is effective and allows Department staff and the mandated reporter to collaborate regarding the outcome of the investigation. The rules of confidentiality are followed, but the ability to have a discussion and explain the reasoning and support for the finding is helpful for the mandated reporter. The process allows the mandated reporter to understand why the decisions were made and allows for early resolution at tier one of the process, if possible. The role of the Statewide Compliance Administrator adds great value to the review process, as it lends to a less subjective and more consistent analysis of the outcome of an investigation.

FY24 Data

During Fiscal Year 2024, forty-nine (49) requests were received from mandated reporters requesting a second review of unfounded investigations. This is an increase by nine (9) requests compared to FY23. Five (5) requests were denied either due to untimely requests or because the individual requesting the review was not the mandated reporter (ineligible request).

Of the forty-nine (49) cases, four (4) were reversed to an indicated finding based on the evidence documented in the investigation and information provided by the mandated reporter during the clinical review by the Statewide Compliance Administrator or designee. Thirty (30) cases remained unfounded with zero (0) cases still pending decision. Zero (0) cases went to the multidisciplinary team or beyond.

Through training and collaboration, the Department continues to reach out to mandated reporters across the state to explain the importance of their role in ensuring child safety, along with their rights and responsibilities, which include the ability to request a second review. In addition to the allowance in ANCRA for a second review, mandated reporters are also able to receive additional information regarding services that were offered or provided to the child and family. A mandated reporter may submit in writing a request for this additional information to SCR. The Deputy Director of SCR or designee will research the investigative records and provide the mandated reporter with the identified information regarding services.

FINAL OUTCOME:

Fiscal Year 2024 (July 1, 2023 - June 30, 2024)

Number of Second Review Requests	49
Number of Requests Denied (untimely or ineligible)	5
Number of Eligible Second Reviews	44
Number Indicated Due to Second Review	4
Number Remaining Unfounded	30
Number in Pending Status	10
Number Sent to Multi-Disciplinary Team	0