

VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

CHAPTER 642

An Act to amend and reenact § 63.1-248.6:02 of the Code of Virginia, relating to child protective services.

[H 829]

Approved April 6, 2002

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-248.6:02 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-248.6:02. Family assessments by local departments.

A. When a local department has been designated as a child protective services differential response system participant by the Department pursuant to § 63.1-248.2:1 and responds to the report or complaint by conducting a family assessment, the local department shall:

1. Conduct an immediate family assessment and, if the report or complaint was based upon one of the factors specified in subsection A1 of § 63.1-248.3, the department may file a petition pursuant to § 16.1-241.3;

2. Immediately contact the subject of the report and the family of the child alleged to have been abused or neglected and give each a written explanation of the family assessment procedure. The family assessment shall be in writing and shall be completed in accordance with Board regulation;

3. Complete the family assessment within forty-five days and transmit a report to such effect to the Department and to the person who is the subject of the family assessment. However, upon written justification by the local department, the family assessment may be extended, not to exceed a total of sixty days;

4. Consult with the family to arrange for necessary protective and rehabilitative services to be provided to the child and his family;

5. Petition the court for services deemed necessary ~~including, but not limited to, removal of the child or his siblings from their home;~~

6. Make no disposition of founded or unfounded for reports in which a family assessment is completed; and

7. Commence an immediate investigation, if at any time during the completion of the family assessment, the local department determines that an investigation is required.

B. When a local department of social services has been designated as a child protective services differential response agency by the Department, the local department may investigate any report of child abuse or neglect, but the following valid reports of child abuse or neglect shall be investigated: (i) sexual abuse, (ii) child fatality, (iii) abuse or neglect resulting in serious injury as defined in § 18.2-371.1, (iv) child has been taken into the custody of the local department of social services, or (v) cases involving a caretaker at a state-licensed child day center, religiously exempt child day center, regulated family day home, private or public school, or hospital or any institution.