Policy

The Department of Children and Families shall:

- receive all reports alleging medical neglect of disabled infants with life threatening conditions
- investigate the reports
- ensure that the infant is receiving appropriate medical care
- work jointly with the Department of Public Health (DPH) to effect this policy.

Legal References: 42 USC §5101 et. seq.; CFR Ch. XIII, 1340.15; CONN. GEN. STAT. 46b-120

Definitions

Medical neglect is failure to provide adequate medical care, including but not limited to, the withholding of medically indicated treatment from a disabled infant with a life threatening condition.

Withholding of medically indicated treatment is failure to respond to an infant's life threatening condition by providing treatment which, in the treating physician's reasonable medical judgment, would be most likely to be effective in ameliorating or correcting all such conditions.

Exception: The term does not include failure to provide treatment when:

- the infant is chronically and irreversibly comatose
- the treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the infant's survival
- the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment would be inhumane.

Note: Appropriate nutrition, hydration and medication must always be provided. Reasonable medical judgment means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

An infant is a child less than one year of age.

A child older than one year of age who has been continuously hospitalized since birth, who was born extremely prematurely, or who has a long-term disability may also be evaluated by this policy.

An Infant Care Review Committee (ICRC) is a hospital committee whose function is to educate hospital personnel and families of disabled infants, recommend institutional policies and guidelines concerning the withholding of treatment, and review cases involving such infants.

The Interdepartmental Investigative Team (IIT) is a joint DCF and DPH committee whose function is to investigate allegations of medical neglect involving disabled infants with life threatening conditions.
Child Protective Investigations

Removal Of A Child: Disabled Infants with Life Threatening Conditions 34-12-3 Page 2 of 2

DCF Responsibilities

The Department of Children and Families shall:

- promote the establishment and foster the existence of Infant Care Review Committees in health care facilities providing in-patient infant care
- identify and maintain a list of staff in each health care institution to act as a liaisons with DCF and DPH
- establish a mechanism to update the list of liaisons annually
- inform all health care institutions providing in-patient infant care that all cases of suspected medical neglect are required by law to be reported to the DCF Hotline (toll-free, twenty-four (24) hours a day.)
- together with DPH establish an Interdepartmental Investigative Team.

Response Time

All referrals to the Interdepartmental Investigative Team shall be coded as emergency cases and shall require a same day response.

The investigation shall be completed within thirty (30) calendar days.

Careline Responsibilities

The Careline workers who receive a report regarding a disabled infant with life threatening conditions shall immediately:

- record basic identifying information in LINK
- conduct a name search of active and inactive Children’s Protective Service records in LINK
- advise administrative staff of the report.

Administrative Response

Upon notification of the receipt of a report, the administrative staff shall immediately call the Director of Child Welfare Services and transmit the report information. For investigation procedures, see policy 34-12-3.1.