



Fremont County Department of Human Services

PROTOCOL TITLE	EFFECTIVE DATE	REVISION DATE(S)
Falsification of Documentation	9/1/2024	12/1/2024
Program Area Child Welfare and Adult Protection Services		

Purpose:

Clear process and expectations around falsification of documentation in Child Welfare (CW) and Adult Protection Services (APS)

Protocol Statement:

This protocol sets for the process for investigation if falsification of documentation is suspected, and the steps to be taken when falsification of documentation is confirmed. A confirmed incident of falsification is an incident that was found to be substantiated after an investigation by the county department where the county department establishes by a preponderance (more likely to be true than not) of the evidence, that a person knowingly or intentionally made a false entry in or falsely altered information in the Comprehensive Child Welfare Information System known as Trails or Colorado Adult Protection Services (CAPS) System in Adult Protection Services.

State Required Protocol:

County Responsibilities, Staff Training and Qualifications, Client Rights, Confidentiality -- 7.601.81

Colorado Revised Statutes 2023 -- Title 18 -- § 18-8-114(1)(a), C.R.S.

Colorado Revised Statutes 2023 -- Title 26 -- § 26-1-118(2), C.R.S

Procedure:

If at any time a Supervisor, Administrator and/or Director of Child Welfare and Adult Protection has or has been given information that a staff member in Child Welfare or Adult Protection Services has falsified documentation in their respective systems (Trails for CW and CAPS for APS) the following will be the process:

- Upon a suspected incident of falsification of documentation, the supervisor of record will notify an Administrator of Child Welfare and/or Adult Protection who will subsequently notify the Director of the allegation.

- The supervisor of record and/or the Administrator of Child Welfare and/or Adult Protection will restrict the case/assessment in TRAILS, CAPS and/or any electronic data systems. Hard files will be removed from the area and held in the Administrator of Child Welfare's office. This process will be completed in an effort to preserve the documentation.
- The allegation will be reviewed with the Director and Human Resources and/or County Attorney if deemed necessary. The staff person may be put on paid or unpaid administrative leave so the allegation can be thoroughly investigated. This may include a suspension of their email account and access to all child welfare and adult protection services data bases (CAPS/Trails) for the duration of the investigation. This will be completed by the Agency Administrator and/or the Finance and Operations Administrator.
- The Agency Administrator and/or Director will assign a team to investigate the alleged incident. The team will investigate and determine if false documentation occurred using the standard of a preponderance (more likely to be true than not) of the evidence, that a person knowingly or intentionally made a false entry in or falsely altered information in the Comprehensive Child Welfare Information System known as Trails or Colorado Adult Protection Services (CAPS) System and/or any hard document. The investigation shall be completed even if the employee is terminated and/or resigns prior or during the investigation.
- If an incident of falsification is substantiated, the Director or a Child Welfare Administrator shall notify the Division of Child Welfare or the Division of Adult Protection within three (3) working days.
- Personnel action will be determined by the Director and can include disciplinary action up to and including termination of employment as deemed necessary. Disciplinary action shall remain confidential unless otherwise ordered by the court of competent jurisdiction.
- The case supervisor shall create an addendum with the original date to correct the information in a falsified record but the original documentation will not be deleted. Notice to the affected individuals of the corrected record shall be documented in the respective systems.
- No later than 10 working days from the date of a substantiated allegation of falsification, the information shall be shared with the District Attorney's Office by the Director and/or designee. The referral to the appropriate investigatory agency or the district attorney shall be documented by the county department in the staff member's personnel record.

- If the falsified child welfare record relates to an open dependency and neglect or juvenile delinquency case, the county department shall notify the court, parties to the case, their legal counsel and/or Counsel for Youth/Guardian ad Litem that a record in the comprehensive child welfare information system known as Trails has been corrected. The Department shall notify parties utilizing a State approved letter of notice.
- If the falsified child welfare record relates to an assessment, referral or case for which there is no corresponding dependency and neglect or juvenile delinquency case, the county department shall notify the parents and guardians of the child/youth who was alleged or found to be the victim of abuse or neglect or a youth in conflict, the person found or alleged to be responsible for the abuse or neglect, and the child/youth if the age is 10 years or older if the child is the alleged person responsible for abuse/neglect. The Department shall notify parties utilizing a State approved letter of notice.

Efforts to prevent falsification and assist workers with accurately documenting their work in the statewide database.

- FCDHS has written protocol that requires caseworkers to complete Record of Contact notes within 7 days of contact and/or by the 5th of the following month. FCDHS utilizes tracking reports from the Records of Management system to ensure that contacts are completed as required. These reports are reviewed on a monthly basis by the Child Welfare Administrators and provided to the Supervisors.
- Supervisors have the ability to accompany a caseworker to interviews, court, Family Engagement Meetings, and/or home visits as a piece of intervention for performance improvement and training.
- Child Welfare/Adult Protection Case Review Requirements-
 - Open cases have pre-audits for Foster Care Review/Foster and Kin Desk Review/In home and Assessment Reviews/Adult Protection Reviews through the Administrative Review Division
- Supervisors review work completed with caseworker in detail through safety assessments, Safety Plans, 90-day reviews and/or reports to the court on what the caseworker observed to inform safety, permanency, well-being, and children, youth and at-risk adults and to verify completion of required duties.
- Supervisors, Child Welfare Administrators and Adult Protection Services Supervisor shall regularly monitor for worker fatigue, burnout, and missed deadlines, as well as other predictive indicators to prevent falsification during routine supervision.

- Supervisors can complete outreach with the families their staff are working with. This could look like a meeting in the field with their staff and the family, a call to the family, or attending a court hearing with their staff.
- Child Welfare Administrators will be responsible for overseeing the data and providing feedback to Supervisors.