

Agency 124
Child Death Review Board

Articles

124-1. CHILD DEATHS.

Article 1.—CHILD DEATHS

124-1-1. Coroner guidelines for identifying suspicious deaths of children. (a) Coroners shall use the following protocol in identifying a suspicious death of a child.

(b) “Suspicious death” means a death which appears to result from suspicious circumstances or unknown cause and does not result from an identifiable natural cause.

(c) The following deaths shall be considered suspicious:

- (1) a death from unknown causes; or
- (2) a death from other than identified natural causes.

(d) “Suspicious circumstances” means circumstances which do not rise to the level of belief or knowledge but which encompass apprehension of something wrong without proof or upon slight evidence.

(e) To identify a suspicious death of a child, a coroner shall evaluate whether any suspicious circumstances were reported as present at or during the time leading up to any death of a child. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-2. Investigation of child deaths. The following protocol shall be used in investigating child deaths by a records review: (a) Birth and death certificates received from the Kansas department of health and environment shall be reviewed by the executive director of the board.

(b) Coroner’s reports shall be received and reviewed by the executive director of the board.

(c) Additional reports and information from such entities as may be appropriate may be requested by the executive director.

(d) Any additional reports and information received shall be reviewed by the executive director of the board.

(e) Each case of a child’s death which is reported to the board shall be assigned to a board member by the executive director.

(f) A copy of all case materials shall be provided to the assigned board member by the executive director.

(g) All case materials shall be reviewed by the assigned board member. Additional information may be requested by the assigned board member.

(h) The assigned board member shall report to the board on the assigned child death case.

(i) The assigned board member’s report may be accepted by the board or the matter may be continued by the board for additional follow-up activity or further investigation.

(j) The assigned board member shall complete the report to the board at the conclusion of the investigation or any follow-up activity, and the chairperson of the board shall then close the investigation.

(k) If the board determines that the manner or cause of death listed on the death certificate is questionable based upon its review of the case, any concerns shall be communicated by the board to the appropriate county or district attorney, and further action may be recommended by the board. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-3. Coordination and cooperation among agencies involved in child deaths. (a)

An agreement with the Kansas department of health and environment shall be sought by the board in which, by the fifth day of each month, the department will provide to the board copies of child death certificates with any associated birth certificates that have been filed in the office of vital statistics in the previous month.

(b) An agreement with the Kansas department of social and rehabilitation services shall be sought by the board whereby, upon request of the board, the department will check its records and provide information to the board regarding services provided to families either before or at the time of a child’s death.

(c) Cooperation with law enforcement agen-

cies will be sought by the board whereby, upon request of the board, a law enforcement agency will provide copies of reports and any other supporting documents relative to a child's death and any subsequent investigation.

(d) Cooperation with district and deputy coroners shall be sought by the board whereby, upon request of the board, a district or deputy coroner will provide copies of autopsy reports which have been performed on children who have died in Kansas.

(e) Cooperation with schools, mental health providers, and public and private medical health providers shall be sought by the board whereby, upon request of the board, the entity will provide relevant information and records.

(f) Copies of the birth and death certificates, social and rehabilitation services, law enforcement and coroner information and reports shall be provided to the executive director for further dissemination to the assigned board member. (Authorized by and implementing K.S.A. 22a-243(h); effective Nov. 21, 1997.)

124-1-4. Facilitating prosecution for abuse and neglect. (a) A check list for use by law enforcement officers as an aid in child death case evaluations and filing decisions shall be developed and distributed by the board.

(b) The board shall communicate annually with district and deputy coroners regarding the requirements of K.S.A. 22a-242. (Authorized by and implementing K.S.A. 22a-243; effective Nov. 21, 1997.)