

OKLAHOMA CHILD DEATH REVIEW BOARD

BYLAWS

“The interests of childhood and youth are the interests of mankind”

Edmund Storer Janes
(1807 – 1876)
AM. M. E. Bishop

Article I. Name.

The name of this organization shall be the "Oklahoma Child Death Review Board", as established under Title 10 O.S. Section 1150.2. Herein, the Oklahoma Child Death Review Board will be referred to as the “Board”.

Article II. Mission

The mission of the Oklahoma Child Death Review Board is to reduce the number of preventable deaths through a multidisciplinary approach to case review. Through case review, the Child Death Review Board collects statistical data and system failure information to develop recommendations to improve policies, procedures, and practices within and between the agencies that protect and serve children.

Article III. Purpose

The Oklahoma Child Death Review Board shall:

1. Conduct case reviews of deaths of children in this state, and case reviews of near deaths* of children due to child abuse and neglect;

*Near deaths as used in these bylaws refer only to near deaths, as certified by a physician as serious or critical condition, due to child abuse and neglect.

2. Develop accurate statistical information and identification of cases reviewed in the following categories:
 - A) all deaths of children in this state; and
 - B) all near deaths of children, due to abuse and neglect in this state;
3. The Board will make recommendations to improve the ability to provide protective services to children who may still be living in a dangerous environment;
4. The Board will make recommendations to improve policies, procedures and practices within the agencies that serve children, including the child protection system; and
5. Enter into agreements with multidisciplinary teams established pursuant to Title 10 O. S. Section 7110 to carry out such duties and responsibilities as the Oklahoma Child Death Review Board shall designate, including reviewing cases assigned by the Board in the geographical area for that multidisciplinary team. The Oklahoma Commission on Children and Youth, with the advice of the Oklahoma Child Death

Review Board, shall promulgate rules as necessary for the implementation and administration of the provisions of this paragraph.

Article IV. Activities of the Board

In carrying out its duties and responsibilities, the Board shall:

1. Establish criteria for cases involving the death or near death of a child subject to specific, in-depth review by the Board;
2. Conduct a specific case review of those cases where the cause of death, or near death, is or may be related to abuse and neglect of a child;
3. Establish and maintain statistical information related to the deaths and near deaths of children, including, but not limited to, demographic and medical diagnostic information;
4. Establish procedures for obtaining initial information regarding near deaths of children from the Oklahoma Department of Human Services and law enforcement agencies;
5. Review the policies, practices and procedures of the child protection system and make specific recommendations to the entities comprising the system for actions necessary for the improvement of the system;
6. Review the extent to which the state child protection system is coordinated with foster care and adoption programs and evaluate whether the state is efficiently discharging its child protection responsibilities under the federal Child Abuse and Prevention and Treatment Act state plan;
7. As necessary and appropriate, for the protection of the siblings of a child who dies and whose siblings are deemed to be living in a dangerous environment, refer specific cases to the Department of Human Services or the appropriate district attorney for further investigation;
8. Request and obtain a copy of all records and reports pertaining to a child whose case is under review including, but not limited to:
 - a. the medical examiner's report,
 - b. hospital records,
 - c. school records,
 - d. court records,
 - e. prosecutorial records,
 - f. local, state, and federal law enforcement records, including, but not limited to, the Oklahoma State Bureau of Investigation (OSBI)

- g. fire department records,
 - h. State Department of Health records, including birth certificate records,
 - i. medical and dental records,
 - j. Department of Mental Health and Substance Abuse Services and other mental health records,
 - k. emergency medical services records, and
 - l. Department of Human Services' files.
9. Maintain all confidential information, documents and records in possession of the Board as confidential and not subject to subpoena or discovery in any civil or criminal proceedings;
10. Conduct reviews of specific cases of deaths and near deaths of children and request the preparation of additional information on reports as determined to be necessary by the Board including, but not limited to, clinical summaries from treating physicians, chronologies of contact, and second opinion autopsies;
11. Report, if recommended by a majority vote of the Board, to the President Pro Tempore of the Senate and the Speaker of the House of Representatives any gross neglect of duty by any state officer or state employee, or any problem within the child protective services system discovered by the Board while performing its duties;
12. Recommend, when appropriate, amendment of the cause or manner of death listed on the death certificate; and
13. Subject to approval of the Oklahoma Commission on Children and Youth, exercise all incidental powers necessary and proper for the implementation and administration of the Oklahoma Child Death Review Board Act.
14. The Board shall submit an annual statistical report to the Oklahoma Commission on Children and Youth, on or before May 1 of each year, regarding the incidence and causes of death and near death of children in this state for which the Board has completed its review during the past calendar year.
15. The Board shall also prepare and make available to the public, on an annual basis, a report containing a summary of activities of the Board relating to the review of deaths and near deaths of children, the extent to which the state child protection system is coordinated with foster care and adoption programs, and an evaluation of whether the state is efficiently discharging its child protection responsibilities. This report shall be completed not later than December 31 of each year.
16. The Board shall make recommendations to the Oklahoma Commission on Children and Youth regarding the production of, by subpoena, any records, including books, papers, documents, and other tangible things which constitute or contain evidence

which the Board finds relevant or material to the investigation, if the Board has been unable to obtain the necessary information by requesting it, as set out in Title 10 O. S. Section 1150.2A.

Article V. Members

The Oklahoma Child Death Review Board shall consist of **fourteen (14) members legislatively appointed** and thirteen (13) members appointed by the Director of the Oklahoma Commission on Children and Youth as identified in Title 10 O. S. Section 1150.3.

Every member shall have a designee who shall represent the member in the member's absence. The designee shall represent the same group or organization from which the member was selected. Members and their designees are invited and encouraged to attend all meetings. This designation shall be made in writing to the Chair.

Article VI. Officers

The officers of the Oklahoma Child Death Review Board shall be a Chair and a Vice-Chair, to succeed the Chairmanship. These officers shall perform duties prescribed by these bylaws and by the parliamentary authority adopted by the Board. Officers shall be elected biannually in July to serve for two (2) years or until their successors are elected.

Article VII. Meetings

1. The review and discussion of individual cases of death or near death of a child shall be conducted in executive session and in compliance with the confidentiality requirements of Title 10 O. S. Section 7005-1.2.
2. The Oklahoma Child Death Review Board shall meet at least quarterly at a time and place to be designated either by the action of the Board or the Chair.
3. Special meetings may be called by the Chair or upon written request by five (5) or more members.
4. A majority of the members of the Oklahoma Child Death Review Board shall constitute a quorum for the transaction of any and all business.
5. In the event any member is unable to attend a meeting of the Oklahoma Child Death Review Board, a designee may attend in his or her place.
6. (a) If any member or their designee does not attend two (2) consecutive meetings of the Oklahoma Child Death Review Board, the Chair, or individual designated by the Chair, shall notify the member that a third consecutive absence could result in notification as outlined in subsection (b) hereunder.

- (b) If any member or their designee does not attend three (3) consecutive regularly scheduled, meetings of the Oklahoma Child Death Review Board, the Chair, or individual designated by the Chair, may notify the Oklahoma Commission on Children and Youth and recommend the Commission take whatever action is deemed appropriate.
7. All members shall have one vote. A designee may vote in the member's absence. All members present shall vote to pass a motion, except as otherwise provided in the bylaws.

Article VIII. Committees

1. An Executive Committee shall consist of the Chair and/or Vice-Chair and four (4) members appointed by the Chair of the Oklahoma Child Death Review Board. The previous Chair will serve as an Ex-Officio member of the Executive Committee. The Committee shall act in an advisory capacity and shall perform such functions as designated by the Oklahoma Child Death Review Board.
2. Such other committees, standing or special, shall be appointed by the Chair as the Oklahoma Child Death Review Board shall deem necessary to carry on the work of this Board. The Chair shall be an ex officio member of all committees.

Article IX. Parliamentary Authority.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern in all cases where they are applicable and in which they are not inconsistent with these bylaws and any rules the Oklahoma Child Death Review Board may adopt. Except as specifically exempted by statute, the board meetings and activities fall within the purview of the Oklahoma Open Meetings Act.

The Oklahoma Child Death Review Board may receive, review and discuss, in executive session, information on individual child abuse investigations and prosecutions. The Board shall comply with confidentiality requirements of Section 7102 – 7105 of Title 10 O.S.; otherwise, the Board shall comply with the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes.

Article X. Amendment of Bylaws

These Bylaws may be amended at any regular meeting of the Oklahoma Child Death Review Board by a two-thirds vote of the members present, provided that the amendment has been submitted in writing at the previous regular meeting.

There will be an annual review of these bylaws conducted by the current members of the Oklahoma Child Death Review Board.

Revised 01/28/99

Revised 10/27/93

Revised 09/02/93

Revised 08/16/93

CONFIDENTIAL INFORMATION PROVIDED TO THE BOARD SHALL BE MAINTAINED BY THE BOARD IN A CONFIDENTIAL MANNER AS OTHERWISE REQUIRED BY STATE AND FEDERAL LAW. ANY PERSON DAMAGED BY DISCLOSURE OF SUCH CONFIDENTIAL INFORMATION BY THE BOARD, ITS LOCAL BOARDS OR THEIR MEMBERS NOT AUTHORIZED BY LAW, MAY MAINTAIN AN ACTION FOR DAMAGES, COSTS AND ATTORNEY FEES.

10 O. S. Section 1150.2