

To: Arizona Hospitals, Emergency Rooms and Crisis Centers  
From: Gillian Vanasse, Az DCS Chief Operations Officer  
Re: After hour consents  
Date: February 26, 2025

Dear Health Care provider,

The Department of Child safety would like to provide you with information when you require after-hour consents for admissions, medications, treatment or transfers.

All previous directives regarding implied consent are no longer valid or enforceable as of the date of this document.

#### Background information from DCS Policy:

The out-of-home caregiver has DCS authorization to consent to:

- evaluation and treatment for emergency conditions that are not life-threatening;
- routine medical treatment and procedures;
- immunizations, unless the parents object based on religious beliefs;
- routine dental treatment and procedures;
- Early Periodic Screening Diagnosis and Treatment (EPSDT) services (e.g. developmental and behavioral health intakes, screenings, treatment and procedures);
- services by health care providers to relieve pain or treat symptoms of common childhood illness or conditions; and
- testing for the presence of the human immunodeficiency virus (HIV).

The out-of-home caregiver is prohibited from consenting to:

- general anesthesia;
- surgery;
- clinical trials, including clinical trials for HIV/AIDS treatment;
- blood transfusions;
- abortions.

#### Emergency Consent by an Out-of-home Caregiver

The out-of-home caregiver, may provide emergency consent if required by the hospital and the emergency room physician or medical provider advises that immediate treatment is necessary and delay of treatment (in order to notify the Department) is potentially harmful to the child.

If you require consent when a child or youth in custody who is in out-of-home care, the department recommends the following steps.

For routine requests please contact the assigned DCS Specialist. You should be able to identify the DCS Specialist from the "Notice to Provider" form that accompanies the patient. You can also call the local DCS Field office indicated on the "Notice to Provider" Form and ask for the supervisor and/or program Specialist who may be able to assist. The DCS Field office contract information can be accessed here <https://dcs.az.gov/about/offices>

If you then need still assistance with contacting the DCS Specialist assigned to your patient please call the child abuse hotline 1888-SOS-CHILD, (888) 767- 2445.

Please understand that there are times that the DCS Specialist is in court or in the field and cannot answer your call immediately. Please allow time for them to return your call. All DCS Specialists also reference their supervisor contact information in their outgoing voicemail message. You may also reach out to their supervisor if necessary.

In an emergent life threatening situation where you are unable to reach a DCS Specialist in the moment, the department recognizes that the health care system can use a 2 physician consent process to do what is necessary to preserve the life and well-being of the patient.

For other requests that require consent afterhours please determine if this is an urgent request as only urgent issues should utilize the processes outlined below.

Consents related to admissions:

- The DCS Specialist should sign admission consent to treat and the Over the Counter (OTC) medication consent at the time of admission, the caregiver bringing the patient to the facility can also sign the initial consents. (see the Notice to Provider Form)

After-hours medication/treatment consent needs - first, determine if it's urgent, if it can wait until the next work day, please do so.

- If the consent required is urgent, call the child abuse hotline 1888-SOS-CHILD (888) 767- 2445
  - The recommended information that should be provided to the Hotline for them to route your request in a timely manner include:
    - The specific request with the patient identifying information, and, for new medications or changes, information to support informed consent. If notification to the DCS Specialist is required please state that.
    - The timeframe for a response (2 hrs. to respond will be the default if a timeframe is not requested but would advise specifying a reasonable timeframe for a response). (For example, if you need an answer to be able to admit a patient to a facility – you want to request a timeframe so that the patient does not lose the bed)
    - An accurate and direct call back number, not the general admissions number unless you notify that number that DCS will be calling back with consents and how to route the call.
- Hotline will route the caller to the DCS after-hours team who can provide the consent.
- Call the child abuse hotline back if you do not receive a response in the requested timeframe.
- If the child abuse hotline tells you to wait until Monday (or next work day) to talk to the DCS Specialist, please ask to have the request routed to the DCS after-hours team. .
- If the hotline has not fulfilled your request, you may ask them to reach the hotline on call program manager. (Please understand that there are times that your request may be delayed as the team may be managing multiple high priority/child safety issues resulting in a delayed response. Please allow time for them to fulfill your request.)

Thank you for you partnership in caring for the children in our care

Az DCS