



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: [REDACTED]/11

Date of Incident: April 26, 2012
Date of Oral Report: April 27, 2012

FAMILY NOT KNOWN TO:

York County Children, Youth and Family Services

REPORT FINALIZED ON: April 25, 2013

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.

(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.

(23 Pa. C.S. 6349 (b))

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Reason for Review:

Senate Bill No. 1147, now known as Act 33 was signed by Governor Rendell on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and child near-fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review and provide a written report on any child fatality or near-fatality where child abuse is suspected.¹

Act 33 of 2008 also requires that County children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated, or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. York County has convened a review team in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	[REDACTED] 2011
[REDACTED]	Sibling	[REDACTED] 2010
[REDACTED]	Sibling	[REDACTED] 2005
[REDACTED]	Mother	[REDACTED] 1991
[REDACTED]	Father	[REDACTED] 1984
[REDACTED]	Friend	[REDACTED] 1972
[REDACTED]	MGM	[REDACTED] 1969
[REDACTED]	MGM's Paramour	[REDACTED] 1966

Notification of Near Fatality:

On April 27, 2012, the Agency received a referral of a child near fatality [REDACTED] [REDACTED] alleging the identified child's condition was a result of physical abuse by an unknown perpetrator. According to the mother, the child fell backward off the sofa onto a carpeted floor on April 26, 2012. 911 had been called because the 8 month old was unconscious. The baby was taken to York Hospital by ambulance at 2:00 AM and then flown to Hershey Medical Center on life support. While at the York Hospital, it was discovered that the child had a [REDACTED].

At the Hershey Medical Center, an older [REDACTED] was discovered. The child had [REDACTED]. Dr. [REDACTED] is the resident, and Dr. [REDACTED] is the attending physician and certified that the child is in serious and critical condition. A CT scan could not rule out [REDACTED]. The hospital was suspicious for abuse due to the significant injury.

¹ 23 Pa, C.S, § 6343(c)1,2.

Per EMS, the mother's friend was at the scene. The father was not at home during the current incident as he was working. The family was staying at the friend's apartment as they had no electricity in their trailer. The family has no explanation for the [REDACTED].

Summary of DPW Child (Near) Fatality Review Activities:

For this review, Central Region interviewed [REDACTED], CPS Manager at York County Children & Youth Services and [REDACTED], CPS Supervisor at York County Children & Youth Services. Central Region also reviewed the Child Death Data Tool, Medical records and the Case file.

The Central Region Program Representative assigned to York County Children, Youth and Families attended the York County Act 33 meeting related to this case on May 18, 2012

Summary of Services to the Family:

Children and Youth Involvement prior to Incident:

There is no previous involvement with York County Children, Youth and Family Services with the identified child and siblings. The agency was involved with both mother and father when they were youth. It is important to note, that in March 2011, the York Area Regional Police department was involved with mother due to her threatening to drink bleach and hit herself in the stomach during her pregnancy. Children & Youth was not notified because the child was still in the womb at that time. Mother at that time was taken to the hospital and was [REDACTED].

Circumstances of Child's Near Fatality and Related Case Activity:

On April 26, 2012, according to mother, the child fell backward off the sofa onto a carpeted floor. 911 had been called because the 8 month old was unconscious. The ambulance arrived and the child was [REDACTED] and transported by ambulance to the York Hospital at 2:00 AM and then flown to Hershey Medical Center on life support.

While at Hershey Medical Center, it was discovered that the child had [REDACTED]. Non accidental trauma was suspected by the medical personnel. Father was not at home during the current incident. The family was staying at the friend's apartment as they had no electricity in their trailer. The family has no explanation for the [REDACTED].

York County Children and Youth completed a safety assessment and determined that safety threats existed resulting in the development of a safety plan with the maternal grandmother. There was a safety plan done with the maternal grandmother, [REDACTED] that neither parent would have unsupervised contact with the children.

Current Case Status:

██████████ was ██████████ on May 7, 2012 to the maternal grandmother's care with a ██████████ and will continue to receive medical follow up and care. The agency ██████████ on May 10, 2012 and pursued kinship care with the grandmother for ██████████. The maternal grandparents continue to supervise all contact between the children and the parents and other relatives. ██████████ half sibling, is in the care of the paternal grandmother and will have supervised visits as well with her parent and his paramour. ██████████ was residing with her father during the school year and her mother during the summer.

██████████ and ██████████ remain at their home at ██████████, Windsor, Pa. 17366. ██████████ remains in his home at ██████████, Windsor, Pa. 17366.

York County Children and Youth completed their investigation and the case was indicated on June 12, 2012 for all three caregivers that had access to ██████████ during the time period that she received the injuries. The three perpetrators are ██████████, ██████████ and ██████████. The injury meets the Child Protective Service Law's criteria for abuse because it caused ██████████ severe pain and impaired her ability to function. All caregivers that had access to ██████████ during this time period were indicated. No charges have been filed by the York County Police Department.

██████████ (MGM) and ██████████ (MGM's paramour) were approved as kinship care providers for ██████████ and ██████████ through Bair Foundation. They received case management services through the agency as well as assistance ██████████. A Family Group conference was scheduled for the family to develop support services and a visitation schedule.

██████████ had a ██████████ along with a 5329 evaluation (The 5329 is where the Court shall consider convictions of the parties, as well as convictions of members of their households for offenses, which include driving under the influence of drugs or alcohol, criminal homicide, aggravated assault, and rape, and determine whether there is a threat to the child).

██████████ had a ██████████ and received an evaluation/██████████ for her ██████████ issues. Parenting classes were provided through Family Child Resources for the parents. Both parents will be randomly drug screened through Family United Network.

County Strengths and Deficiencies as Identified by the County's Near Fatality report:

County Strengths: County strengths include the agency's collaboration with the law enforcement officials, the safety planning completed by the agency and the agency's ability to find a kinship care provider for the child during and after the investigation.

County Weaknesses:

No deficiencies were noted.

County Recommendations for Changes at the Local (County or State) Levels as Identified in County's Near Fatality Report:

There were no recommendations for change at the local level identified by the Near Fatality report.

Department of Public Welfare Findings:

County Strengths:

The investigation completed by York County Children, Youth and Families was conducted in a timely fashion and in collaboration with the York Police Department. The agency provided necessary services to all family members and was able to keep both children safe during the investigation.

Safety assessment and planning was completed thoroughly. The safety plans were timely, inclusive of family and care providers input and signatures. Referrals for services were completed and necessary services were coordinated.

County Weaknesses:

No deficiencies were noted.

Statutory and Regulatory Compliance Issues:

York County Children, Youth and Family Services conducted a timely investigation in conjunction with the law enforcement officials. Safety assessments were completed and the victim child was able to be placed with kinship care providers during the investigation. Referrals for services were completed and the services were coordinated for the family. There were no statutory or regulatory violations noted.

Department of Public Welfare Recommendations:

None