



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 07/31/2012
Date of Incident: 05/27/2013-09/20/2013
Date of Oral Report: 09/20/2013

FAMILY NOT KNOWN TO:

Beaver County Children and Youth Services

REPORT FINALIZED ON:
6/20/14

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. 6349 (b))

Reason for Review:

Senate Bill 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with Child Line for investigation.

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 Child Line. Beaver 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 | 07/31/2012 |
| [REDACTED] | Mother | [REDACTED] 1992 |
| [REDACTED] | Father | [REDACTED] 1992 |
| [REDACTED] | Mother's Paramour | [REDACTED] 1986 |
| [REDACTED] | Paramour's Mother | [REDACTED] 1959 |
| [REDACTED] | Paternal Grandmother | [REDACTED] 1974 |
| [REDACTED] | Paternal Grandfather | [REDACTED] 1962 |

(The mother, her paramour and the paramour's mother resided in one household. The father and paternal grandparents resided together in a separate household).

| | | |
|--------------|----------------------------|------------------|
| * [REDACTED] | Maternal Grandmother | [REDACTED] 1958 |
| * [REDACTED] | Maternal Uncle | [REDACTED] 1975 |
| * [REDACTED] | Maternal Aunt | [REDACTED] /1975 |
| * [REDACTED] | Maternal Great-Grandmother | [REDACTED] 1941 |

Notification of Child (Near) Fatality:

On September 20, 2013, Beaver County Children and Youth Services received a referral from Sergeant [REDACTED] with the [REDACTED] Police Department that there was a 13 month old child in poor shape. The victim child had visible bruises and a suspected broken arm. [REDACTED] contacted the [REDACTED] Police Department that day stating [REDACTED], the victim child's mother, contacted her via text message on September 19, 2013, inquiring about the victim child's social security number. When [REDACTED] asked why she needed his social security number the mother responded that both she and [REDACTED] were sick; that the child's eyes were hurt and his arms were limp/swollen, and hurt when touched. [REDACTED] reported inquiring into how the child got hurt. The mother stated that the child had been hurt for three days due to him

falling out of his stroller. [REDACTED] informed the mother that she had until 12:00 p.m. on September 20, 2013 to seek medical treatment or she was going to contact the local police department.

The [REDACTED] Police Department conducted a child well check and found the child in need of medical attention. The police officers called for an ambulance to transport the child to the local hospital. The child was immediately taken to Heritage Valley Medical Center in Beaver, Pennsylvania via ambulance the day of the referral. Heritage Valley determined he needed critical care and arrangements were made for him to be life flighted to Children's Hospital of Pittsburgh. Heritage Valley reported that the child had [REDACTED]

At Children's Hospital, Dr. [REDACTED] assessed the child for child physical abuse and [REDACTED] regarding the amount of pain and suffering he endured from [REDACTED] which were in different stages of healing. He suffered from [REDACTED] which are indicative of child abuse. Dr. [REDACTED] stated the child's injuries are the result of inflicted abusive trauma causing severe pain. She also indicated that the child was considered a near fatality due to the [REDACTED] due to lack of treatment to address his recent and healing [REDACTED]. A Child Protective Service report was initiated.

Summary of DPW Child (Near) Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed all current records pertaining to the [REDACTED] family, including the child's medical records, case documentation, CY 48, court materials, and law enforcement reports. Follow up interviews were conducted with the intake and on-going caseworkers as well as the intake supervisor. The regional office also participated in the County Internal Fatality Review Team meeting which was conducted on November 8, 2013.

Children and Youth Involvement prior to Incident:

There were no previous referrals regarding this child. Both household members, with the exception of the mother and the child, were well known to law enforcement. It appears as though the child was very isolated as the parents only took him outside to travel to and from each other's homes which were less than a block away from each other. It also believed that the child spent all of his time in a stroller.

Circumstances of Child Near Fatality and Related Case Activity:

The agency responded immediately to the report and was able to see the child at Heritage Valley Medical Center prior to his transport to Children's Hospital. The medical personnel were also interviewed regarding the child's condition. The child was observed to be in very poor condition

as he had marks on his chest and stomach; he was despondent and his eyes appeared to be sunken; he had open sores surrounding his mouth; and appeared severely dehydrated. The physicians stated that the child would have died within 24 hours upon his admission to the emergency room without medical care. The agency conducted joint interviews with law enforcement of all of the parties living in the mother and father's households regarding the child's condition. [REDACTED] had reported that there were no concerns regarding the care of the child while the mother was residing in her home, but she had not seen the child since the mother moved to Pittsburgh in May 2013.

All parties denied having any knowledge as to how the child obtained the injuries but it was determined that the child spent most of his time in a stroller. None of the parties acknowledged a concern for the child's well-being. The mother and her paramour alleged that the child had fallen out of his stroller a few days prior to the report. It was determined that all of the household members had regular contact with the child. The father reported that the mother dropped the child off at 9:00 pm on September 19, 2013. The father reported noticing that the child had a sock on his left arm and he noticed that his "mouth was messed up". The child was in the care of his father when the police responded. It was assessed that the mother, her paramour and the father have a history of [REDACTED], and the father and the mother's paramour have extensive criminal histories.

The mother, her paramour, the father and the paramour's mother were arrested on September 30, 2013. The mother and her paramour were charged with Aggravated Assault (F1); Simple Assault (M1); Recklessly Endangering Another Person (M2); and Endangering Welfare of Children-Parent/Guardian/Other Commits Offense (F3). The father and the mother's paramour's mother were charged with Recklessly Endangering Another Person (M2), and Endangering Welfare of Children (F3). Criminal charges are pending.

[REDACTED] following the arrest of the mother, her paramour, the father and the paramour's mother. The child was [REDACTED] to a Beaver County foster home on October 1, 2013. He was [REDACTED]

[REDACTED] The foster parents visited with him consistently during his two week stay at [REDACTED]; and they were trained on meeting the child's medical needs.

On October 10, 2013, Beaver County Children and Youth Services sent a CY48 to ChildLine Registry indicating the mother, her paramour and the father for physical abuse/medical neglect of the child by omission.

[REDACTED] continues to receive weekly services from [REDACTED] provider visits the foster home every Monday [REDACTED]

[REDACTED] The child also continues to receive services through [REDACTED] and he was also seen through the [REDACTED] until October 22, 2013. The child received a [REDACTED] through Beaver County [REDACTED] and is eligible to receive [REDACTED] in the foster home. The child also receives services from a [REDACTED]. The [REDACTED] will meet with the foster family to develop a Life Book for the child.

[REDACTED]

On October 16, 2013, a CY49 was sent to ChildLine Registry changing the status of the parents' reports from indicated perpetrator to founded perpetrator.

As the maternal grandmother stated a desire to have custody of the child the agency filed an ICPC to request a home study evaluation on the maternal grandmother's household in New Jersey. It should be noted the child and his mother moved to Pennsylvania from New Jersey in May of 2013; having resided with the maternal grandmother since the child's birth. The maternal grandmother reported that the mother moved due to her failure to follow the rules while residing in the maternal grandmother's home. The mother had met the father on the internet and was supposed to reside with the child's father, however, upon arriving in Pennsylvania she moved in with her paramour, who was a friend of the father's. The maternal grandmother did come to Pittsburgh to visit the child while he was in the hospital and has continued to have contact with him through Skype. On December 30, 2013, the ICPC for the maternal grandmother's home was denied due to the following factors: the maternal grandmother had a [REDACTED] her paramour who resides in the home has a criminal history as well as [REDACTED]

The agency had also maintained consistent contact with a maternal aunt and uncle who also reside in New Jersey. They agreed to care for the child in the event the maternal grandmother was not approved. On January 28, 2013, the agency filed a second ICPC regarding assessing the household of these maternal relatives who are willing to provide the child permanence. They are also maintaining contact with the child through Skype. If the ICPC is approved the agency will begin visitation with the goal of placing the child with a relative for adoption. The agency will request the termination of parental rights upon interstate approval. The current foster family continues to care for the child and would provide permanence in the event the family is not approved.

Current Case Status:

The child is doing well in the fact that he is thriving as a result of the care he receives in the foster home and at [REDACTED]

[REDACTED]

There is also a concern for his arm functioning as a result of the [REDACTED] He continues to [REDACTED] he maintains regular appointments at [REDACTED]

The child had a current X-ray and as a result [REDACTED] he now has a [REDACTED]

[REDACTED]

[REDACTED]

The case remains open with Beaver County Children and Youth Services with the goal of adoption with a family member or the concurrent plan of adoption by his foster parents.

County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child Near Fatality Report:

- Strengths: The report submitted by the agency does not include strengths.
- Deficiencies: The report submitted by the agency does not include deficiencies.
- Recommendations for Change at the Local Level: The report submitted by the agency does not include recommendations for change at the local level.
- Recommendations for Change at the State Level: The report submitted by the agency does not include recommendations for change at the state level.

Department Review of County Internal Report:

The Department reviewed the report submitted regarding the near fatality of [REDACTED] The report contains a summary of case activity during the intake investigation. The report does address what if any services could have been offered to the family in an effort to prevent the abuse and neglect of the child, but it was determined that due to his age, the fact that he had no medical care since moving to Pennsylvania, and that his parent's isolated him, nothing could have been done to prevent this.

Department of Public Welfare Findings:

- County Strengths: The County responded immediately to the report by going to the local hospital; photographing the child and interviewing medical personnel prior to the child being transported to [REDACTED]. The agency worked collaboratively with law enforcement and conducted joint interviews with all parties involved in [REDACTED] life. The interview details were thoroughly documented and there was on-going communication with law enforcement regarding the criminal investigation. The agency also spoke directly to the medical personnel at [REDACTED] and thoroughly documented the findings. The medical records were obtained and reviewed during the intake process. The CY 48 was submitted within 30 days of the date of the report. The agency is also attempting to place [REDACTED] with family members in New Jersey as all the necessary ICPC information has been completed and referred.
- County Weaknesses: The County needs to follow the appropriate format when submitting an internal review report when there is an Act 33 investigation.
- Statutory and Regulatory Areas of Non-Compliance: There are no identified statutory and regulatory areas of non-compliance

Department of Public Welfare Recommendations:

The Department recommends that the agency revise its report to include the information regarding strengths, weakness, and recommendations for change at the local and state levels. The Department also recommends that the agency maintain its current level of functioning regarding the outstanding efforts put forth in this CPSL investigation.