



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 05/02/2012
Date of Incident: 08/23/2013
Date of Oral Report: 08/24/2013

FAMILY KNOWN TO:

The family was known to
Allegheny County Children, Youth and Families

REPORT FINALIZED ON:

02/07/2014

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 ChildLine 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 ChildLine. Allegheny 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>
██████████	Father	██████████93
██████████	Mother	██████████92
	Victim child	05/02/12
	Mother's adoptive mother (paternal grandmother)	

Notification of Child Near Fatality:

On 08/24/13 a report was received that the victim child was treated at Children's Hospital of Pittsburgh for opiate ingestion while at the father's house. The doctor had concerns for supervision of child. ██████████ certified the child to be in critical condition, but the child was expected to survive. The report was registered for lack of supervision resulting in a near fatality.

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 ██████████ family. Follow up interviews were conducted with the Allegheny County Department of Human Services Quality Improvement Manager, ██████████. The regional office also participated in the County Internal Fatality Review Team meetings on 10/17/13 where medical records were reviewed and obtained.

Children and Youth Involvement prior to Incident:

Allegheny County Children, Youth and Families (CYF) had received three previous referrals (November 2012; June 2012; and May 2013) on this family for alleged neglect, drug abuse by the mother, father dealing drugs, and domestic violence between the parents. None of these referrals resulted in case acceptance. Allegheny County CYF responded to each referral by

conducting face-to-face assessments in the family home and offering community referral information to the family.

The father's family has had an extensive history with Allegheny CYF involvement since 1995 for neglect, truancy, and family violence.

Allegheny CYF was not active with the family at the time of the near fatality report pertaining to the subject child.

Circumstances of Child Near Fatality and Related Case Activity:

Allegheny County Department of Human Services, Office of Children Youth and Families (CYF) received a child protective services report related to a child near fatality on 08/24/2013 concerning a 15 month-old child. Allegheny County CYF had previously received a report from the community, reporting that the child had been admitted to the regional pediatric hospital after ingesting what was believed to be an opiate while the child was in his father's care. The child was admitted to the [REDACTED] on 08/23/2013 for treatment following the drug ingestion. Medical evaluation certified the child to be in critical condition as his breathing had been impaired due to the ingestion. [REDACTED]

[REDACTED] The child was then transported to Children's Hospital of Pittsburgh. The child's urine drug screen tested positive for opiates. The toxicologist believed that the child ingested either [REDACTED].

On 08/24/13 the child's father was interviewed by the Allegheny County CYF caseworker. During that interview the father reported that at approximately 2:45 pm on 09/23/13 he was outside playing with the child. The father reported that the child was running around in the garden by the home. The father reported that his friend [REDACTED] was also outside with them. The father reported that the child started to run towards the house and he started walking behind the child. The father turned around for a second and when he turned back around, he noticed that the child had something in his mouth. He tried to get it out of the child's mouth but couldn't. The father reported that he put his fingers in the child's mouth to feel around for what he ate but did not find anything. The father reported that the child did not have anything on his face. The father reports that there was nothing else on the ground. He then called the paramedics. The father reported that the paramedics came to the home by 2:53 PM. The father told the paramedics that the child was outside and put something orange in his mouth. The father tried to make the child throw up and then called the paramedics. The father stated that he thinks it was orange because he saw a "glance of orange" but he is not positive.

The father lives with his sister and his brother. The father reported that he did not use any drugs or alcohol. He denied the use or possession of any [REDACTED] pills. He denied that any household members used any drug or alcohol to his knowledge or that any household members had possession of any [REDACTED] pills. He denied that his friend used any drugs or alcohol to his knowledge or that his friend had possession of any [REDACTED] pills.

The father sent the mother a text from Allegheny General Hospital around 3:15 pm to tell her that they were at the hospital but his phone died. He then called the mother from the hospital phone at Children's Hospital of Pittsburgh. The father reported that the mother was over for the

weekend for two days then the child was with the father until today. He reported that he loves having the child. According to the father, he and the mother were not together and had been separated for two months. He reported that there is not court-ordered custody. He also reported that the child will come over to his home three days a week. The Allegheny County CYF caseworker went over safety plan with both parents. They both signed the plan agreeing that the father's visits with the child would be supervised by a third party of their choice. The child was to be [REDACTED] to the mother. The child [REDACTED] to his mother's care on 08/24/2013. On 08/24/13, 08/25/13, 08/27/13 and 09/9/13 the Allegheny County CYF caseworker conducted home safety visits of the mother's home. The mother's home was safe and appropriate. The family [REDACTED] with Allegheny County CYF on 09/06/13 and [REDACTED].

On 10/01/13 Allegheny County CYF unfounded the child abuse report against the father as CYF was unable to determine that the child's condition was a result of repeated or prolonged lack of supervision.

Current Case Status:

On 08/24/13, the mother and child were living with friends of the mother. The mother and child briefly went back with the father and father's paternal aunt until alleged domestic violence occurred between the mother and father. The mother went back to her friend's home with the child on 10/10/13. The mother and child have since moved into the home of the mother's adoptive mother, her paternal grandmother, in [REDACTED].

On 09/12/13, the Allegheny County Detective reported that the District Attorney did not feel there was enough evidence to charge the father.

On 12/18/13 the mother was reportedly arrested for a physical altercation with her brother. She says her brother was intoxicated and physically aggressive with her adoptive mother so she got involved in the dispute, resulting in him sustaining a broken nose. She also states that her brother plans to drop the charges and admits that his actions were inappropriate. The mother was charged with Simple Assault, Harassment and Disorderly Conduct. A no contact order direct or indirect was imposed. The mother was also court-ordered to obtain a [REDACTED]. The preliminary hearing has been continued on two occasions, once by request of the magistrate and the other by request of mother. The preliminary hearing is now scheduled for 02/26/14.

The child is reportedly healthy and happy. He is up to date with all of his immunizations and has not had any complications as a result of his ingestion. Per the observation of [REDACTED] worker, the child seems to be very comfortable in the home of his paternal great grandmother.

The mother began attending the [REDACTED] on 10/31/13. She has reportedly been compliant [REDACTED]. The mother received a [REDACTED] at which time she was diagnosed by her primary care physician with [REDACTED]. She was [REDACTED] for this condition. It was also recommended that she see a [REDACTED] however, she

has reportedly been inconsistent with maintaining scheduled appointments. The CYF caseworker indicated the mother's adoptive mother has recently located a [REDACTED] for the mother in the [REDACTED] area which is more convenient for mother to get to.

It was also recommended that mother attend [REDACTED]; however, she has not attended. The CYF caseworker reported that a referral was made and contact has been attempted, however, due to a miscommunication between the mother and the [REDACTED].

The mother and child are currently attending [REDACTED]. The caseworker was able to confirm that mother has been attending and participating in all activities. The mother has also indicated that she has an interest in obtaining her GED. She was referred to [REDACTED]; however, it was noted that during the appointment, she was described as rude and non-compliant. It is unknown if [REDACTED].

The father is currently living with a family member. He has a full-time job which reportedly prohibits him from attending [REDACTED] supervised visits with the child. The father does maintain telephone contact with the child. The father reports that he has been attempting to comply with Allegheny County CYF's recommendations including obtain [REDACTED] and parenting. [REDACTED]

[REDACTED]

[REDACTED]

supervised through Allegheny County CYF. The father's work schedule reportedly interferes with visitation.

[REDACTED]

[REDACTED]

Department Review of County Internal Report:

Allegheny County CYF has yet to submit the county's final internal report. A draft copy was received on 01/29/14. The draft report provided an accurate assessment of the agency's response to the near fatality.

Department of Public Welfare Findings:

County Strengths:

Allegheny County CYF responded appropriately to the near fatality report and implemented the essential safety plan and services to the child and family.

County Weaknesses:

Allegheny County CYF has yet to submit the county's final child near fatality internal report. A draft copy was received on 01/29/14.

Statutory and Regulatory Areas of Non-Compliance:

The Department identified no statutory or regulatory compliance issues.

Department of Public Welfare Recommendations:

The Department recommends that Allegheny County CYF implement a protocol to ensure referrals for [REDACTED] when appropriate; consistent with recommendations contained in the county's draft report. The county should also expedite the submission of final near/fatality reports.