



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 9/6/13
Date of Incident: 5/17/14
Date of Oral Report: 6/4/14

FAMILY KNOWN:

York County Office of Children, Youth & Families
and
Dauphin County Social Services for Children & Youth

REPORT FINALIZED ON:

March 23, 2015

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 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. Dauphin County convened a review team in accordance with Act 33 of 2008 on 6/2/14, as that county received the original child abuse report. York County convened a review team in accordance with Act 33 of 2008 related to this report on 6/23/14, as ChildLine cancelled the Dauphin County report and sent a new report to York County on 6/4/14.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Mother	[REDACTED]/78
[REDACTED]	Father	[REDACTED]/75
[REDACTED]	Victim Child (VC)	09/06/13
[REDACTED]	Sibling	[REDACTED]/10
[REDACTED]	Sibling	[REDACTED]/08
[REDACTED]	Sibling	[REDACTED]/08
[REDACTED]	Sibling	[REDACTED]/07
[REDACTED]	Sibling	[REDACTED]/03
[REDACTED]	Half-Sibling	[REDACTED]/99
[REDACTED]	Half-Sibling	[REDACTED]/97
[REDACTED]	Mother's friend	[REDACTED]/86
[REDACTED]	Family friend	

Notification of Child (Near) Fatality:

The VC was residing in the care of his biological father in Harrisburg, prior to 5/16/14. On 5/16/14, the father allowed a friend of the VC's mother, [REDACTED] to take the VC to her home in [REDACTED], Pennsylvania. [REDACTED] and the VC met the VC's mother who was on the run from the [REDACTED] Prison work release program. On 5/17/14, at 9:00 a.m., [REDACTED] took the VC to an appointment the father had made for the child with his pediatrician, [REDACTED] because the VC was grabbing his ears and seemed cranky. He was examined and [REDACTED] for a double ear infection. [REDACTED] and the mother left the VC in the care of [REDACTED] husband, [REDACTED], and two other children ages 13 and 5, while they went to pick up the VC's medicine. When they returned the VC was unresponsive and appeared to be in an altered mental state. The mother then took the VC to the pediatrician who

immediately had the VC admitted to York Hospital due to concerns of dehydration. The VC was transported to Penn State Hershey Milton S. Hershey Medical Center on 5/18/14. Initially at the hospital, the VC was minimally responsive, but wasn't opening his eyes and was having minor seizures. It was determined that the VC suffered a [REDACTED], which was a new condition, and had [REDACTED] that were more than a few weeks old. The VC suffered [REDACTED] due to oxygen deprivation and ligament damage near the spine which appeared to have been caused by a prior incident.

Summary of DPW Child (Near) Fatality Review Activities:

Central Region's Human Service Program Representative, [REDACTED], received the near fatality report on 5/21/14.

Act 33 meeting held on 6/23/14. It was attended by Central Region's Human Service Program Representative, [REDACTED].

The Central Region Office of Children, Youth and Families (CROCYF) obtained and reviewed all current and past case records pertaining to the [REDACTED] family from York County Office of Children, Youth & Families (YCOCYF) and Dauphin County Social Services for Children & Youth (DCSSCY). Follow up interviews were conducted with [REDACTED], supervisor at YCOCYF on 2/20/15, and 2/23/15. [REDACTED], caseworker from DCSSCY, provided information on that agency's involvement with the [REDACTED] family on 3/2/15.

CROCYF reviewed the VC's medical records from York Hospital and Penn State Hershey Medical Center and Children's Hospital.

A review of ChildLine # [REDACTED] showed DCSSCY received a report of suspected child abuse involving the VC on 5/21/14, and the [REDACTED] Bureau of Police was notified of the suspected abuse on 5/21/14. No alleged perpetrator was identified.

A review of the ChildLine # [REDACTED] showed YCOCYF received the report of suspected child abuse on 6/4/14, and the [REDACTED] Police Department was notified of the suspected abuse on 6/4/14. No alleged perpetrator was identified.

A review of the CY 48 for ChildLine # [REDACTED] showed the status determination, made on 7/31/14, as pending criminal investigation. No alleged perpetrator was identified.

A review of the CY 48 for ChildLine # [REDACTED] showed the status determination made on 9/19/14, was Unfounded as YCOCYF determined the alleged abuse did not occur in York County. ChildLine reassigned the report to DCSSCY.

A review of the CY 48 for ChildLine # [REDACTED] showed the status determination as Unfounded on 11/6/14. The alleged perpetrator was listed as the father.

A review of DCSSCY's Child Data Collection showed the date prepared as 2/2/15.

A review of DCSSCY's Family Service Plan, dated 11/7/13, Family Service Plan Review, dated 5/7/14, and Family Service Plan Review, dated 11/7/14, showed that the agency has been involved with the family since September 2013 when a referral was received regarding concerns with drug use in the home, the unacceptable conditions in the home, and no food in the home. The family was opened for services on 9/19/13, and the children were placed outside of the home. The family cooperated with services including a [REDACTED], worked with Reunification services through [REDACTED] and tested negative for all substances. The home was also clean and safe during agency involvement. The older children were returned home [REDACTED] on 12/20/13. The two other children were returned home on 4/1/14.

A review of DCSSCY's Permanency Plan for VC dated 10/2/14 showed [REDACTED]. On 9/22/14, [REDACTED] brought the VC to the agency and stated she could no longer care for him unless there was a guarantee that she would be able to adopt him. The VC then entered placement under the agency until returned to his parents in November 2014.

Children and Youth Involvement prior to Incident:

York County Office of Children, Youth & Families:

2/27/06: Report of Environmental Neglect regarding [REDACTED] and [REDACTED] in the care of their mother. Not substantiated and closed 4/3/06.

6/16/06: Report of Environmental Neglect regarding [REDACTED] and [REDACTED] in the care of their mother. Substantiated and closed on 7/7/06.

6/01/11: Report of Parent/Child Conflict regarding [REDACTED] and her mother. The agency took [REDACTED]. The referral was substantiated and accepted for ongoing services.

5/9/13: Ongoing services closed regarding [REDACTED] remains in placement through [REDACTED].

Dauphin County Social Services for Children & Youth:

September, 2013: Ongoing services for father and all of the children. Family Preservation Services in the home.

A review of the mother's criminal history shows that from 2000 to 2013 she had five felony retail theft and five felony conspiracies charges. She pled guilty to the charges. In 2002 she also pled guilty to Corruption of Minors for which she was incarcerated. In 2006 she spent 30 days in jail for possession of marijuana. On 5/21/14, the mother was found by police and returned to the [REDACTED] Prison. She was found guilty of escape in December 2014.

Circumstances of Child (Near) Fatality and Related Case Activity:

The VC was residing in the care of his biological father in Harrisburg prior to 5/16/14. On 5/16/14, the father allowed a friend of the VC's mother, [REDACTED], to take the VC to her home in [REDACTED] Pennsylvania. [REDACTED] and the VC met the VC's mother who was on the run from the [REDACTED] Prison work release program. On 5/17/14, at 9:00 a.m., [REDACTED] took the VC to the pediatrician, [REDACTED], because he was grabbing his ears and seemed cranky. He was [REDACTED] for a double ear infection. [REDACTED] and the mother left the VC in the care of [REDACTED] husband and two other children ages 13 and 5, while they went for the VC's medicine. When they returned the VC was unresponsive and appeared to be in an altered mental state. The mother then took the VC to the pediatrician who immediately had the VC admitted to York Hospital due to concerns of dehydration. The VC was transported to Penn State Hershey Medical Center on 5/18/14. Initially at the hospital, the VC was minimally responsive, not opening his eyes and having [REDACTED]. It was determined that the VC had a [REDACTED], which was a new condition, and [REDACTED] that were more than a few weeks old. In addition, the VC suffered [REDACTED] due to oxygen deprivation and [REDACTED] which appeared to have been caused by a prior incident.

On 5/22/14, [REDACTED], of [REDACTED], reported that the VC's bone survey looked okay. The VC was more interactive, has not had any more seizures, now able to visually follow movement, hear things and his eyes were now routinely open which shows great improvement. Prior to this time he was not even opening his eyes. Dr. [REDACTED], of [REDACTED], related that the VC suffered [REDACTED], and that [REDACTED] was due to oxygen deprivation. The doctor also said his skeletal survey was normal, he had no bone fractures or rib fractures, that the [REDACTED] was more than a couple of weeks old and that the [REDACTED] was new. He stated the VC would possibly have [REDACTED] he should be medically stable soon. The VC could not eat anything by mouth, [REDACTED] and it was likely he would recover from [REDACTED]. The plan was to discharge the VC to the father.

Current Case Status:

[REDACTED]. The VC was returned home in November 2015 and is in the physical custody of his father and mother.

The VC continues to improve and is doing very well. He is scheduled for multiple follow-up appointments in the near future: [REDACTED]. DCSSCY caseworker, [REDACTED], will follow-up to check on whether or not the appointments are kept as well as to record the results of the appointments in the case file. [REDACTED] is currently working with the VC and [REDACTED].

DCSSCY sent a CY 104 – Report of Suspected Child Abuse To Law Enforcement Official - to [REDACTED] Bureau of Police CID on 9/9/14. Detective [REDACTED] of the [REDACTED] Bureau of Police was assigned the case. The investigation determined that [REDACTED] had no

involvement in causing the injuries, therefore no charges were filed against him. As of the date of this report, Detective [REDACTED] is considering referring the report back to [REDACTED] Police Department as his investigation led him to believe the incident(s) happened in [REDACTED].

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

YCOCYF conducted a review team meeting on 6/23/14, at York Hospital. This review team meeting included representatives from YCOCYF, DCSSCY, the investigating [REDACTED] Police detective, CROCYF, and [REDACTED] pediatrician from York Hospital.

- Strengths: YCOCYF and DCSSCY worked together, sharing information about the family.
- Deficiencies: None noted.
- Recommendations for Change at the Local Level: None suggested.
- Recommendations for Change at the State Level: None identified

Department Review of County Internal Report:

The YCOCYF Internal Report was finalized on 9/18/14, and submitted to CROCYF. The report contained all required information and a summary of the findings of the agency Act 33 review team meeting. Verbal approval of the report was not provided to the agency. Written approval was sent to the agency on 3/3/15.

Department of Human Services Findings:

- County Strengths:
YCOCYF and DCSSCY worked collaboratively with York Hospital, Penn State Hershey Medical Center, Penn State Hershey [REDACTED], Penn State Hershey Children's Hospital, the York City Police Department and the Harrisburg Bureau of Police.
- County Weaknesses:
DCSSCY submitted the required Child Death Data Collection Tool on 2/2/15. No other weaknesses were noted.
- Statutory and Regulatory Areas of Non-Compliance:
There were no areas of non-compliance noted.

Department of Human Services Recommendation:

York County Office of Children, Youth & Families should continue to conduct thorough and timely investigations in coordination with law enforcement officials.