



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

## **REPORT ON THE NEAR FATALITY OF:**



**Date of Birth: 02/09/14**  
**Date of Incident: 04/05/14**  
**Date of Oral Report: 04/09/14**

**FAMILY KNOWN TO:**  
**Delaware County Children and Youth Services**

**REPORT FINALIZED ON:**  
**03/06/15**

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. Delaware 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>
██████████	Child	02/09/14
██████████	Biological Mother	██████████/93
██████████	Biological Father	██████████/90

**Notification of Child (Near) Fatality:**

Delaware County Children and Youth received a CPS referral from ██████████ on April 9, 2014. The report indicated that ██████████ was brought to the emergency room because he was "not acting right" as stated by the parents. The biological father later reported that ██████████ had fallen onto the kitchen floor on April 5, 2014, while he was holding ██████████ and making a bottle of milk. It was also reported by the biological father that ██████████ had rolled off of the sofa onto the floor approximately one month prior to this incident.

**Summary of DPW Child (Near) Fatality Review Activities:**

The Southeast Regional Office of Children, Youth and Families obtained and reviewed case documents pertaining to the ██████████ case. Contact has been made with the Delaware County case worker to obtain current information on the case. The regional office also participated in the County Internal Fatality Review Team (Act 33) meeting on May 7, 2014.

**Records and Documents Reviewed:**

- Delaware County Police Report
- Court Documents
- Safety Assessment
- Medical reports
- CY48
- CY104

**Children and Youth Involvement prior to Incident:**

The biological mother did not have prior involvement with Delaware County of Children and Youth.

Child welfare issues identified during the intake investigation were that the biological father had a history of involvement with Delaware County Children and Youth Services as a parent.

In 2010, the biological father was [REDACTED] his two month old son. The child was [REDACTED] CHOP for multiple rib fractures along with injuries to his [REDACTED]. The biological father was charged with aggravated assault and endangering the welfare of a child.

In 2011, he was the [REDACTED] on his two month old child. He was found guilty by negotiated pleas of Felony 1 aggravated assault and was sentenced 2-4 years of confinement and a maximum of 4 years' probation consecutive to confinement.

### **Circumstances of Child Near Fatality and Related Case Activity:**

Delaware County Children and Youth received a CPS referral [REDACTED] on April 9, 2014. The report indicated that [REDACTED] was brought to the emergency room because he was "not acting right" as stated by the parents. The biological father later reported that [REDACTED] had fallen onto the kitchen floor on April 5, 2014, while he was holding [REDACTED] and making a bottle of milk. It was also reported by the biological father that [REDACTED] had rolled off of the sofa onto the floor approximately one month prior to this incident. During an interview with the attending physician, and Delaware County C&Y social worker, the biological mother stated that the biological father said that earlier in the day on the day the admission, he had been lying in the bed with [REDACTED], and may have "elbowed him in the face, there were concerns that the biological father may have injured [REDACTED] at that time.

According to the biological mother, several days earlier [REDACTED] was his usual state of health with the exception of several days of vomiting which the biological mother attributed to a recent illness. [REDACTED] at Crozier Hospital March 28, 2014. He was treated for the flu and received [REDACTED]; during that stay he experienced intermittent vomiting.

According to the biological mother the vomiting continued after [REDACTED] was discharged from the hospital, and it continued for several weeks. [REDACTED] was not able to tolerate his feedings, however, he was returned for follow up care to his primary physician. The biological mother stated that she did not return [REDACTED] to the hospital because his 2 month well child check- up was scheduled for April 9, 2014. The biological mother reported that on April 7, 2014, two days prior to current admission the vomiting became worse.

The biological mother reported that the biological father contacted her as she was on her way home from work. The biological father stated that [REDACTED] was not "acting right" When the biological mother arrived home, [REDACTED] appeared sleepy; the parents immediately took him to the hospital.

The reporting source stated that the child had [REDACTED] [REDACTED], and was in critical serious condition. [REDACTED] to Children' Hospital of Philadelphia (CHOP). The case was [REDACTED] deemed a child near fatality. While in route to CHOP [REDACTED] had 2 seizures, at arrival he was stable and moving all of his extremities. He was given [REDACTED] to control the twitching movements of his legs, arms and left eye. [REDACTED]

[REDACTED] the extent of the injuries sustained is out of proportion with what was stated by the parents and is concerning for non-accidental injury.

[REDACTED] was also diagnosed with [REDACTED]

[REDACTED] CHOP on April 23, 2014 with [REDACTED]

A Safety Assessment was completed by the county case worker on April 9, 2014. The child was deemed unsafe, and could not remain safe at home with the parents [REDACTED]. The assessment included information that there was another sibling, [REDACTED], 10 years old currently residing at with a relative. Both parents admit to being the only caregivers for [REDACTED]. Neither could explain how the injuries occurred. Their full capacity to protect [REDACTED] did not exist as the occurrence of the incident, causing [REDACTED].

The CY104 was completed on April 9, 2014 and sent to Officer [REDACTED] and Officer [REDACTED] of [REDACTED] Police Department.

[REDACTED] was placed into a medical foster home through [REDACTED]. He was due to have a [REDACTED] completed at CHOP. He will also have follow up appointments with [REDACTED].

The parents were offered visitations on a bi-weekly basis; visits are supervised by Delaware County Children and Youth Services. The parents are actively participating and attending the visits. The parents were counseled and informed of the county and agency involvement going forward. The county has developed a Family Service Plan that list the goals of which the parents will have to obtain. The permanency goal is currently reunification. Other agencies and systems provided to the parents for services include; [REDACTED] CHOP for [REDACTED] for Foster Care Services, [REDACTED]

**Current Case Status:**

Both parents currently reside at [REDACTED] has been placed in foster care with [REDACTED] (medical foster care). Multiple services have been provided to the family; [REDACTED]; family visitations; and collaboration with the [REDACTED] Police Department.

Visitations have occurred bi weekly with the biological mother, visits are for one hour and are supervised at Delaware County Children and Youth. The biological mother also attends

parenting classes, and has recently received a [REDACTED]  
[REDACTED]

The foster parents have been responsible for transporting [REDACTED] to and from medical appointments. [REDACTED]  
[REDACTED]

[REDACTED] pending ongoing criminal investigation of non-accidental trauma sustained by the child; no criminal charges have been made against [REDACTED] to date.

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

Act 33 of 2008 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. Delaware County has convened a review team in accordance with Act 33 of 2008 related to this report. The Act 33 team met on May 7, 2014.

**Strengths:**

The County provided support with identifying appropriate resources for the parents

**Deficiencies:**

NA

**Recommendations for Change at the Local Level:**

There was discussion about the need to develop criteria requiring OB/GYN professionals to refer parents to family support programs like [REDACTED]. There was a recommendation to increase programming geared toward father engagement. Finally, there was a suggestion to expand budgets to accommodate these programs and make them more accessible to those who need them.

**Recommendations for Change at the State Level:**

There is much needed discussion between public systems, in this case the Correctional System and Child Welfare. The biological father had prior [REDACTED] case of which he served time for assault toward a child. Communication between the two systems would allow for the release of historical information.

**Department Review of County Internal Report:**

The county report was received on May 7, 2014.

The Department concurs with the recommendations of the Delaware County Children and Youth, and has responded as of August 27, 2014.

**Department of Public Welfare Findings:**

- **County Strengths:**

- The County presented all required documents to OCYF for completion of full review of the case.
- **County Weaknesses:**
- None Identified
- **Statutory and Regulatory Areas of Non-Compliance:**
- NA

**Department of Public Welfare Recommendations:**

There is much needed discussion between public systems, in this case the Correctional System and Child Welfare. The biological father had prior [REDACTED] case of which he served time for assault toward a child. Communication between the two systems would allow for the release of historical information.