



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 10/13/11
Date of Incident: 03/09/14
Date of Oral Report: 03/10/14

FAMILY KNOWN TO:

Westmoreland County Children's Bureau

REPORT FINALIZED ON:

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, DHS 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. Westmoreland 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	10/13/11
[REDACTED]	Sibling	[REDACTED]/10
[REDACTED]	Mother	[REDACTED]/89
[REDACTED]	Father	[REDACTED]/76

Notification of Child (Near) Fatality:

On March 10, 2014, Westmoreland County Children's Bureau learned of the child's condition [REDACTED]. According to the report, the child had been admitted to Excelsa Health, Latrobe Hospital in Latrobe, Pennsylvania on March 9, 2014 and was eventually sent to Children's Hospital of Pittsburgh by Life Flight. While in Children's Hospital, he was deemed to be in serious or critical condition due to ingesting his father's [REDACTED]. It is unknown how many were taken. While in the hospital, the child was displaying an altered mental status. At times he was agitated and then periods of being lethargic. During this time, he was being monitored in [REDACTED]. On March 12, 2014, the attending physician, [REDACTED] from Children's Hospital of Pittsburgh, certified the incident as a near fatality. After supervisor review [REDACTED], Western Region received the report as a certified near fatality on March 17, 2014.

Summary of DPW Child (Near) Fatality Review Activities:

The Western Region was provided with the case notes, safety assessments, risk assessments, and medical information. The complete record is electronic and is accessible at the Department's request. This information was reviewed for this report. In addition, the Department participated in a Westmoreland County Children's Bureau Multi-Disciplinary Team Meeting on April 9, 2014. The caseworker and supervisor were also interviewed on April 9, 2014.

Children and Youth Involvement prior to Incident:

The [REDACTED] Family has been known to Westmoreland County Children's Bureau since February of 2013. On February 12, 2013, there was an allegation of basic needs not being met, possible drug and alcohol issues, and domestic violence. Mother denied these allegations and reported that there had been an argument between the parents, in which the children were not involved. The incident, which had occurred at the end of the previous year, resulted in a domestic violence charge against the father. The mother reported that the children had been sleeping during the incident. The father was charged with the incident and was ordered to [REDACTED]. At the time of the agency involvement, the father was not living in the family home due to the incident. The mother stated that the father could not return home until he completed his [REDACTED]. There was no prior history of Protection from Abuse orders or arrests regarding the father. The caseworker attempted to talk to the arresting officer; he did not return any of the messages left for him. The caseworker also met with the Pediatrician's Office and they expressed no concerns for either child. This case was closed at intake on March 25, 2013.

A subsequent referral was received by the agency on December 2, 2013. It was alleged that mother and father were smoking Cocaine. The allegations suggested that the children were not being supervised, which resulted in the children being hurt. The caseworker completed an unannounced home visit to address the allegations. During this visit, it was noted that the children were climbing on the furniture and were getting in the cabinets. At one point it was noted that the children had knocked over the recliner. The mother reported that the family needed to keep food at the paternal aunt's house and paternal grandparent's house due to the children getting into and destroying everything. Mother denied any illegal drug use. She appeared to be overwhelmed during this visit and reported being the primary caregiver as the father worked outside the home. It appeared as though the father was again living in the home as he was interviewed and gave similar accounts of the children's behavior. Initially, the parents were agreeable to services; however, ultimately declined. The agency was unable to substantiate the allegations and the case was closed at intake on January 17, 2014.

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

Westmoreland County Children's Bureau originally received a general protective services report regarding this incident. On the same date, the report was registered as a Child Protective Services (CPS) based on the alleged lack of supervision resulting in the child ingesting the [REDACTED]. Upon receipt of the March 10, 2014 referral, Westmoreland County Children's Bureau's caseworker gathered information relating to the child's condition. According to the report, the child had been in Latrobe Hospital and was eventually sent to Children's Hospital of Pittsburgh by Life Flight. While in Children's Hospital, he was deemed to be in serious or critical condition due to ingesting an unknown number of his father's [REDACTED].

While in the hospital, the child was displaying an altered mental status. At times he was agitated and would then have periods of being lethargic. During this time, he was being monitored in the [REDACTED]. On March 10, 2014, Westmoreland County Children's Bureau

requested a 24 hour courtesy visit from the neighboring county, Allegheny County Office of Children, Youth and Families, due to the nature and seriousness of the injuries. On March 11, 2014, the attending physician, [REDACTED] from Children's Hospital of Pittsburgh, was contacted and reported that the child had been certified as a near fatality upon his admission; however, at this time the child was reported to be medically cleared and was [REDACTED]. It was still unclear as to the amount of [REDACTED] that the child had ingested. The caseworker completed an announced home visit on March 12, 2014. Interviews suggested that the mother was home supervising the children, however at some point one of the children was able to climb up the cabinets and obtained the medication bottle. Mother reported that the child came over to her and told her he had eaten some candy. She knew there was no candy in the house and then noticed the pill bottle. The mother immediately contacted Poison Control, who suggested she monitor the child. The mother stated that after about 15 minutes the child became lethargic and said he was sleepy. The mother then transported the child to the local hospital.

It was noted that the family does have a safe for the medication, however the father admitted to being in a hurry the morning of the incident and only placing the pills in a high cabinet instead of back in the safe. Neither parent reported any recent incidents of domestic violence or current illegal drug use.

On March 17, 2014, Westmoreland County Children's Bureau notified the Western Region that the incident was being declared a near fatality after the report was [REDACTED] on March 12 as a near fatality. Western Region only received the report on March 17th after supervisor review of the March 12th report [REDACTED].

On March 18, 2014, an unannounced home visit was made. Pictures were taken of the lock box where the medication was typically housed. Services were discussed with the family and it was indicated that the family was agreeable to in-home services at this time. [REDACTED] services were discussed in an attempt to assist with behavior and child development as well as offer some support to the mother. Additionally, [REDACTED] services were referred to the family.

Another report was received on April 3, 2014 regarding supervision concerns as the children were found outside the family home in the middle of a road. It was determined that the children were getting out through a door in the basement. A visit was completed to the home at which time the caseworker indicated the children were consistently displaying negative behaviors such as throwing items, pushing over furniture, climbing on stairs and banisters and getting into cupboards. The mother appeared to be overwhelmed and unable to control the behaviors.

A Multi-Disciplinary Team meeting was held on April 9, 2014. Attendees were the investigating State Trooper, investigating caseworker, caseworker supervisor, Western Region Representatives, the county District Attorney, and [REDACTED] (via telephone).

On April 14, 2014, Westmoreland County Children's Bureau submitted a status determination stating that the child's injuries were not a result of abuse or neglect. The report alleging lack of supervision resulting in a physical injury was unfounded and was determined to be an accidental

episode. The case was accepted for services and is being monitored by Westmoreland County Children's Bureau.

Current Case Status:

The case was opened for services on 04/14/14. The caseworker visits the family home on a weekly basis. The agency has made referrals [REDACTED] through a local community agency. In addition, weekly drug screenings are being conducted as there continue to be concerns for drug use and supervision issues in the home. Dependency has been discussed within the county and at this time has not been ordered.

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 ChildLine. Westmoreland County has convened a review team in accordance with Act 33 of 2008 related to this report.

- Strengths: Westmoreland County did comply with Act 33 and convened a MDT meeting within 30 days. Intensity of contact and service implementation appears to be consistent with the level of risk.
- Deficiencies: The courtesy request was not able to meet the time frame for the CPS. The child was not seen in 24 hours. The child was [REDACTED] prior to Allegheny County Office of Children, Youth and Families arriving at the hospital.
- Recommendations for Change at the Local Level: Possible use of Mr. Yuk stickers or something similar to use when dealing with younger children.
- Recommendations for Change at the State Level: No recommendations were made on the state level.

Department Review of County Internal Report:

The Western Regional Office of Children, Youth and Families reviewed the Westmoreland County Children's Bureau internal report on 06/09/14. The case is currently open with the family receiving supports [REDACTED]

Department of Public Welfare Findings:

- County Strengths: Act 33 Child fatality Review Team convened within 30 days of the report being certified. Referrals were made to assist with parenting issues in the home.

Continued assessment of the caregiver's drug use is being monitored through recommended drug screenings.

- County Weaknesses: The child was not able to be seen within 24 hours of the report being registered as a CPS. The report was numbered as an abuse investigation on 3/10/14. A courtesy request was made to the neighboring county where the child was being hospitalized within the hour. However, by the time the courtesy was completed on 3/11/14 the child [REDACTED]. The child was not seen until the follow day, 3/12/14, by Westmoreland County Children's Bureau. Westmoreland County was aware that the child had not been able to be seen by the neighboring county due to being discharged home, however chose to see the child at the scheduled visit the following day
- Statutory and Regulatory Areas of Non-Compliance:

The child was not seen within 24 hours of the initial report due to the child [REDACTED] back the family's residence. The child should have been seen in the family's residence within 24 hours of the initial report. Children are required to be seen to assure their safety within 24 hours of a CPS report.

Department of Public Welfare Recommendations:

The Department recommends review of the response policy when a neighboring county is unable to complete a courtesy request. In this case, the investigating county was aware that the child had [REDACTED] on the day that the courtesy was attempted; however, the county chose to post-pone contact with the child until the schedule home visit the next day.