



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



BORN: September 24, 2013
DATE OF INCIDENT: November 1, 2014
DATE OF REPORT: November 1, 2014

FAMILY KNOWN TO:
Erie County Children, Youth, and Families

REPORT FINALIZED ON:
08/09/2015

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.

(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. Erie 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	September 24, 2014
[REDACTED]	Mother	[REDACTED] 1984
* [REDACTED]	Father	[REDACTED] 1992
[REDACTED]	Half-sister	[REDACTED] 2007
* [REDACTED]	Father of [REDACTED]	Unknown

*Non-household members.

Notification of Child (Near) Fatality:

The date of the incident was late evening on November 1, 2014. On this date, the child's father transported her to University of Pittsburgh Medical Center (UPMC) Hamot Emergency Room in Erie, Pennsylvania. He explained to the attending physician that his daughter was acting lethargic and groggy then became unresponsive. The father initially indicated that the child may have been sucking on a Glade air freshener that was on the floor. Poison Control was contacted and confirmed for the hospital that there was no chemical in an air freshener that would cause the child to become unresponsive. Although this information was relayed to the father, he continued to provide his initial story as a reason for the child's condition.

Upon arrival, the child was provided a drug screen, which was negative. The child's oxygen saturation began to drop, [REDACTED]

[REDACTED] The child's prognosis was guarded at that time and it was unknown whether she would survive. The child's mother arrived at the hospital and expressed her concern that the father had illegal drugs in his home and the child may have ingested some of the

drugs. The mother stated that the drugs may have been K-2, (synthetic marijuana). The physician at UPMC Hamot certified that the child was in critical condition as a result of suspected physical abuse. Law enforcement was contacted and took the father into custody while he was leaving the hospital. As per mother, she and the father had shared custody of the child per a court order. Mother went on to state that the child had been with father since the evening following Halloween. The child was subsequently transported via helicopter to Children's Hospital of Pittsburgh.

Summary of DPW Child (Near) Fatality Review Activities:

The Department initially contacted Erie County Children, Youth and Families (CYF) to obtain an update of the child's medical status and whether there was an open CYF case on this family. The preliminary notification of a Child Death/Near Death due to suspected child abuse form was completed and forwarded to the Acting Deputy Secretary for CYF on November 5, 2014. The Department was made aware that upon arrival to Children's Hospital of Pittsburgh that she was placed [REDACTED] but was subsequently moved to a regular room. [REDACTED] and the child was able to breathe on her own. On November 7, 2014, a file review of the Erie County CYF case file was conducted. November 18, 2014, a MDT meeting was held to discuss this case.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

This family had been known to Erie County CYF, but the last contact with them was in October of 2011. There were two General Protective Services (GPS) referrals to CYF in 2011. The initial GPS report was in October of 2011, (10/24/11-11/17/12) when it was reported that the older child, [REDACTED], smelled like Marijuana. The GPS case was closed at intake. The most recent GPS report came in September of 2012, (9/5/12-9/26/12) which stated the older child [REDACTED] was acting out on another child. This case was also closed at intake. This was the last report on this family prior to the most recent incident. The victim child was not born at the time of the two prior GPS referrals. In both prior GPS referrals, there was no evidence of abuse or neglect of the child which necessitated the closure of both reports at intake. The mother was on probation for 15 years due to a history of crystal meth and marijuana usage. [REDACTED]

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

The date of the incident was early evening of November 1, 2014. Father brought child to the UPMC Hamot Hospital of Erie [REDACTED] for what the father describes as his daughter becoming lethargic, groggy, and nonresponsive. He further stated that he thought she may have been sucking on a Glade Air Freshener that was on the floor of his home. When he was told by the hospital physician that his story was not possible, he stuck to his story. Mother arrived at the hospital shortly afterwards and was concerned

that her daughter might have ingested medications that father leaves around his house, particularly K-2, (synthetic marijuana). Police were contacted and father was taken from the hospital at that time and [REDACTED]

[REDACTED] It is unknown at this time whether formal charges are being filed against him.

Upon discharge from CHP, the child returned home to her mother where she remains.

[REDACTED]
CYF received the results of the lab tests and it was determined that there were no drugs or illegal substances found in the child's system. The CYF caseworker advised that due to the fact that no drugs were found in the child's system, that the case will be unfounded. As a result of all of the information obtained, and that mother will obtain full custody of the child, (father is incarcerated for illegal drug usage), CYF will close out the case.

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

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

- Strengths: Several strengths noted in report:
 - Appropriate and quick response by weekend shift intake worker
 - Excellent communication flow between OCYF and hospital personnel
 - Good communication between OCYF and Detective on the case
 - Two intake workers worked well with each other to transition this referral from a weekend call to an intake referral.
 - The father's willingness to cooperate with hospital personnel police departments, and OCYF workers.
 - The mother's father, (PGF), is moving to [REDACTED], Pa to be a support system for her.

- Deficiencies: A few areas of concern are noted in report
 - Father's past and current drug use
 - Mother's past drug use – current use of marijuana
 - The young age of the father
 - [REDACTED] Custody arrangements when father completes [REDACTED]
[REDACTED]

- Recommendations for Change at the Local Level: Several changes are noted at the local level.
- Schedule a follow visit with victim child's PCP
- Blood work for the child in 30 days
- Follow up with Crime Lab results
- Mother to update current custody order/custody arrangements in place for when father has completed [REDACTED]
- [REDACTED]
- Physicians need to make the referral thru the initial information presented to them
- Monitor mother's marijuana use by Random urine screens.
- Recommendations for Change at the State Level:
- None noted

Department Review of County Internal Report:

The Department received Erie County's internal report. The MDT meeting was held on November 18, 2014. The Department is in agreement with all of the strengths and deficiencies noted in the county report, particularly the strengths of the appropriate and quick response to the incident, the good communication between all parties involved in the incident, (OCYF, Hospital personnel, and law enforcement) of which they had control of.

Department of Public Welfare Findings:

- County Strengths:
- The Erie County MDT meeting was held within 30 days of the initial report, report filed on November 1, 2014 and the MDT meeting was held on November 18, 2014. Erie County CYF initiated and maintained excellent communications with all of the entities involved in this case, including hospital personnel and law enforcement. The county also engaged both the AP and mother in the entire CPS intake process.
- County Weaknesses:
- Non noted at this time
- Statutory and Regulatory Areas of Non-Compliance: No statutory or regulatory areas of non-compliance were noted in this investigation.

Department of Public Welfare Recommendations:

For Erie County CYF to continue its best practice efforts in keeping up the good communication between them and the other entities involved in the child investigation process, which includes medical personnel, (physicians and hospitals), and Law Enforcement agencies, (local and state).

For Erie County CYF to continue to utilize the MDT review process to continue to identify any gaps in services delivery, and in the overall communication efforts with all the local entities involved

For Erie County CYF to work with the drug and alcohol system within the county to educate CYF staff on best practice methods when working with children and families with serious drug and alcohol issues