



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF



Date of Birth: 08/19/2010
Date of Incident: 08/13/2012

FAMILY WAS NOT KNOWN TO:
Union County Children and Youth Services
FAMILY WAS KNOWN TO:
Lycoming County Children and Youth Services

REPORT FINALIZED ON: March 19, 2013

DATE OF ORAL REPORT: August 14, 2012

This report is confidential under the provisions of the Child Protective Services Law and cannot be released. (23 PA. C.S. § 6340)

Unauthorized release is prohibited under penalty of law. (23 Pa. C.S. § 6349(b))

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Reason for Review

Senate Bill No. 1147, now known as Act 33 was signed into law on July 3, 2008 and went into effect on December 30, 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. Union 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	08/19/2010
[REDACTED]	Mother	[REDACTED] 1994
[REDACTED]	Father	[REDACTED] 1991
[REDACTED]	Mother's Paramour	[REDACTED] 1991
[REDACTED]	Mother's Paramour's Mother	[REDACTED] 1972
[REDACTED]	Mother's Paramour's Mother's Paramour	[REDACTED] 1969
[REDACTED]	Mother's Paramour's Half-Sibling	[REDACTED] 1997
[REDACTED]	Mother's Paramour's Half-Sibling	[REDACTED] 2010
[REDACTED]*	Paternal Grandmother	[REDACTED] 1959

*Not living in the home with the child

Notification of Fatality/Near Fatality:

On August 14, 2012, Union County Children and Youth Services (CYS) received a report of suspected abuse from [REDACTED] after the Victim Child was transported there from [REDACTED] in Lewisburg. The Victim Child was certified to be in critical condition by Dr. [REDACTED] at the [REDACTED] and was diagnosed with a [REDACTED]. The Victim Child also had over [REDACTED] in each eye.

This was subsequently called into [REDACTED]

Documents Reviewed and Individuals Interviewed:

- Complete Union County Children and Youth Services (UCCYS) case record of [REDACTED] investigation, and service planning record
- Complete Lycoming County Children and Youth Services record for the family
- Child medical records from Geisinger Janet Weis Children's Hospital
- Child Medical records from [REDACTED] in Williamsport
- Interviews with Agency Director, [REDACTED] Supervisor, and [REDACTED] Investigator

Case Chronology:

Previous CY5 involvement:

This family was not known to Union County CY5.

Lycoming County CY5 had previous involvement with the Mother of the Victim Child on two previous occasions. In February 2010, the Agency received a referral regarding the Mother, who was then 15 years old and pregnant with the Victim Child. According to the report, the Father of the Victim Child's Mother believed that she had intentionally gotten pregnant. He reported that she had [REDACTED] and was refusing to come home. He was requesting that she be placed in foster care. The Mother admitted that she and her boyfriend had planned to become pregnant. She was staying with her boyfriend's mother as her father would not allow her to come home, was threatening her, and attempted to attack her in front of the CY5 worker. She remained with her boyfriend's mother, and maintained contact with her mother who supported her through her pregnancy. The case was closed at intake in March 2010.

[REDACTED]

There was split custody for the Victim Child between her Mother and Father. When the child was with her Mother, she would be staying with the Maternal Grandparents in Williamsport. When the Mother did not have the child, the Mother was staying with her paramour and his family in Selinsgrove. The agency did find that the Victim Child was behind on medical care. The Mother found a new doctor and the child was seen. The doctor's report noted a history of poor weight gain and recommended the child take eight ounces of Pedia-sure. The agency closed the family at intake in June 2012.

Circumstances of child's fatality:

On August 13, 2012, the Mother and the Victim Child were visiting with the Mother's Paramour at his home, where he lives with his Mother and her Paramour. At some point, the Victim Child was left alone with the [REDACTED], the Mother's Paramour, while the Mother was driven to her work at the [REDACTED] by the [REDACTED] Mother and her Paramour. That evening the Victim Child was having medical issues and was taken to Evangelical Hospital by ambulance. She was then Life-Flighted to Geisinger Medical Center. Doctors performed [REDACTED] on the Victim Child to address a "[REDACTED]." The Victim Child received a [REDACTED]. The attending physician suspected [REDACTED], diagnosing the child with an "[REDACTED]." The Victim Child also had [REDACTED]. The Victim Child was certified to be in critical condition by Dr. [REDACTED], with a very poor chance of survival. The [REDACTED] stated that there was no way that the child could have caused the injury to herself. [REDACTED], the pressure in the Victim Child's head was increasing and her blood pressure was decreasing.

The Mother's Paramour denied the allegations when he was interviewed on August 13, 2012 by police. He stated that he had been playing video games, that the Victim Child was "bothering" him, but that she had then gone to another room to watch TV. He had gone in the child's room and found her slumped over. He stated that he tried to give her juice but she spit it back up. He tried to perform CPR on her on the pool table and the kitchen floor. He called his mother's paramour and told him that the Victim Child was unresponsive. EMTs were called and the child was transported to the hospital. A polygraph was scheduled for August 14, 2012 at 1pm as the State Trooper felt that the Mother's Paramour was being deceptive. The Mother's Paramour did not show up for the polygraph and could not be found. Contacts were made to his mother

and her paramour. When Union County CYS was finally able to get through to the family, they stated that they were in New Jersey. The Mother's Paramour and their other children were also with them. The family stated that items were needed to register the 14 year old for school which had to be picked up in New Jersey and that is why they had traveled there. The family verbally agreed to assure safety of the two children around the Mother's Paramour. On August 16, 2012, the family brought the two children into the agency. At this point, they stated that they had not seen the Mother's Paramour since yesterday. He had left when they were in New Jersey and did not come back. The Mother's Paramour had grown up in New Jersey, and his father still resided there. He had only come over to live with his mother in 2009.

The Mother's Paramour has a history of involvement with law enforcement. He tested positive for Marijuana in Union County in March 2012 and had to serve 30 days of probation. He was then incarcerated in Snyder County Prison in July 2012 due to another failed drug test in that county. Snyder County Probation had been monitoring his case when the incident occurred. They have now issued a warrant for his arrest due to failing to report for scheduled weekly probation appointments. [REDACTED], the Mother's Paramour is atypical for the area and has more of an "inner city" demeanor and belonged to a gang when he lived in New Jersey.

The Victim Child was initially in a [REDACTED], but was able to be taken off of ventilation at the beginning of September 2012. The Mother, Father, and Paternal Grandmother had been [REDACTED] of the child. They were given the option to take the child off of life support and refused. The attending physician stated that he was very clear with them that the Victim Child would do nothing more the rest of her life than open her eyes. The physician reported that the Victim Child has [REDACTED]. The Victim Child is [REDACTED], and lies in her bed. The physician reports that she will never regain functioning and will need in-home nursing and constant care for the rest of her life. The Father and Paternal Grandmother went through training to care for the child, but it was still not decided who would be an appropriate caretaker. The child was in a rehabilitation hospital at the time.

The agency completed an investigation, filing the CY48 with ChildLine on September 19, 2012. The case was INDICATED for the Mother's Paramour. This decision was made based on the fact that all witnesses reported the child acting normal prior to being left alone with the Paramour. The medical evidence presented by the attending physician and subsequent medical records met the criteria for physical abuse.

A police investigation is ongoing for this case. There are warrants out for the Paramour's arrest. When he is found, charges will be filed.

Union County referred the case to Lycoming County as that was the place of residence for all caretakers that could be involved in the ongoing care of the child. Union County closed their case as the Mother's Paramour was no longer residing in the county and there were no further safety concerns.

Current/most recent status of case:

On September 13, 2012, the Victim Child [REDACTED] from Geisinger Children's Hospital and [REDACTED] to the Children's Hospital of Philadelphia as a rehabilitation/medical step-down program. The child's condition remained unchanged. She was [REDACTED] to the Paternal Grandmother, who has physical custody of the child, on November 30, 2012. During the Victim Child's stay at Children's Hospital of Philadelphia, the Paternal Grandmother had been staying with her daughter who resides in Lansdowne, Delaware County. [REDACTED], the child had several follow up appointments at Geisinger in Danville, Montour County, and at Children's Hospital of Philadelphia. When Lycoming County CYS met with the Paternal Grandmother, she indicated that she spends time between her home in Williamsport and her daughter's home, depending on the scheduled appointments for the

in this matter.

Statutory and Regulatory Compliance Issues:

All regulations regarding [REDACTED] investigation and subsequent county services were followed.