



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

**REPORT ON THE NEAR FATALITY OF:**



**Date of Birth: 05/17/2013**  
**Date of Incident: 08/04/2013**  
**Date of Oral Report: 08/04/2013**

**FAMILY KNOWN TO:**

**Cumberland County Children & Youth Services**

**REPORT FINALIZED ON:**

**03/01/2015**

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 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. Cumberland County has convened a review team in accordance with Act 33 of 2008 related to this report on September 4, 2013.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
██████████	Victim Child	05/17/2013
██████████	Sibling	██████████ 2012
██████████	Mother	██████████ 1990
██████████	Father	██████████ 1988

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

On 8/4/2013, ██████████ EMS was called to the home ██████████ due to the child being in cardiac arrest. ██████████ was watching the child; mother of the child was not at home. ██████████ was feeding the child at the time and the child turned blue. Child was transferred to a flight crew and was taken to Hershey Medical Center. ██████████

Child was assessed during the flight and was found to have ██████████ There was a contusion across the child’s abdomen. The team also found a ██████████ Child had previously fallen from a car seat a month ago and had a minor concussion from that fall. Injuries are suspected as being non-accidental and child is in critical condition. Case certified as a near fatality by Dr. ██████████ Hershey Medical Center on August 13, 2013.

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

The Central Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to the ██████████ family. Follow up interviews were conducted with the Caseworker, ██████████ and Supervisor, ██████████ on August 20, 2013. The regional office also participated in the County Internal Fatality Review Team meetings on September 4, 2013 where copies of the police report were presented.

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

A referral was received on 4/17/2013 [REDACTED] The victim child's sibling [REDACTED] accidentally opened a bottle of infant Tylenol and ingested 2000 Mg. of Tylenol. The case was unfounded due to the fact that there was no substantial evidence that the alleged perpetrators intended or had reasonable knowledge that the child would be able to open the child safety lid and consume the infant Tylenol. [REDACTED]

[REDACTED] Fortunately, [REDACTED] did not suffer any long term affects from the overdose. The family was opened for services on April 17, 2013 and closed on June 3, 2013. At this time the family was residing with the maternal grandparents and only had one child.

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

On 8/4/2013, [REDACTED] was called to the home [REDACTED] due to the child being in cardiac arrest. [REDACTED] was watching the child; mother of the child was not at home. [REDACTED] was feeding the child at the time and the child turned blue. Child was transferred to a flight crew and was taken to Hershey Medical Center.

Child was assessed during the flight and was found to have [REDACTED] There was a contusion across the child's abdomen. The team also found a [REDACTED] Child had previously fallen from a car seat a month ago and had a minor concussion from that fall. Injuries are suspected as being non-accidental and child is in critical condition. Case certified as a near fatality by Dr. [REDACTED] Hershey Medical Center on August 13, 2013.

The CY 48 was filed on September 24, 2013. The indicated status is supported by the fact that the perpetrator admitted to throwing the child into the sectional sofa, causing the injuries. A medical professional deemed the injuries to be consistent with child abuse and to meet the criteria for a near fatality. The criminal investigation began resulting with the perpetrator being charged with aggravated assault, endangering the welfare of a child and simple assault.

### **Current Case Status:**

[REDACTED] was arrested and had a preliminary hearing on 9/16/13. He is currently still in jail, where he receives letters from [REDACTED] the children's mother. He has been charged with aggravated assault, endangering the welfare of a child by a parent and simple assault. His bail was set at \$750,000.

[REDACTED] continues to reside with maternal grandparents and [REDACTED] has been placed in foster care. [REDACTED]

The case is being open with both children for in home services.

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

- Strengths:  
None Discussed
- Deficiencies:  
None discussed
- Recommendations for Change at the Local Level:  
None
- Recommendations for Change at the State Level:  
None

**Department Review of County Internal Report:**

County report was received on September 9, 2013. There were no discussions about particular recommendations to avoid this circumstance in the future. No one could have predicted that this child would have been harmed by [REDACTED]. Cumberland County Children & Youth Services recommended that the safety plan remains in place until such time as [REDACTED] has completed all requirements.

**Department of Public Welfare Findings:**

County Strengths:

- The investigation completed by Cumberland County Children, Youth and Families was conducted in a timely fashion and in collaboration with the [REDACTED] Police Department.
- The agency provided necessary services to all family members and was able to keep the children safe during the investigation.
- Safety assessment and planning was completed thoroughly. The safety plans were timely, inclusive of family and care providers input and signatures. Referrals for services were completed and necessary services were coordinated.

County Weaknesses:

- None

Statutory and Regulatory Areas of Non-Compliance:

- None

**Department of Public Welfare Recommendations:**

The agency provided necessary services to all family members and was able to keep the children safe during the investigation. Safety assessment and planning was completed thoroughly. The

safety plans were timely, inclusive of family and care providers input and signatures. Referrals for services were completed and necessary services were coordinated. It is recommended that these practices continue throughout the county.

