



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 11/30/2012
Date of Incident: 10/02/2013
Date of Oral Report: 10/03/2013

REPORT FINALIZED ON:
06/30/2015

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, 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. 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>
██████████	Victim Child	11/30/2012
██████████	Mother	██████████/1996
██████████	Father	██████████1995
██████████	Uncle	██████████/1998
██████████	Uncle	██████████/1995
██████████	Maternal Grandfather	██████████/1959

Notification of Child Near Fatality:

The incident occurred on 10/02/2013 and the date of the oral report to the county agency was 10/03/2013. On that date, Delaware County Children and Youth Services received a referral ██████████ indicating that the 11-month-old child was brought to the hospital with left thigh swelling, abrasions to the face and ██████████

██████████
The child was transferred to Children’s Hospital of Philadelphia (CHOP).

Summary of DHS Child Near Fatality Review Activities:

The Southeast Region Office of Children, Youth and Families obtained and reviewed all current information pertaining to the ██████████ family. SERO participated in the Act 33 Review and collaborated with the County, Physicians and Law Enforcement.

Children and Youth Involvement Prior to Incident:

The family was not involved with CYS at the time of the incident or in the 16 months prior to the incident and, the family was not receiving services. It is noted however that the mother was in foster care as a child due to lack of supervision. There was ██████████ on maternal grandfather in the past but the case was not opened at the time of this incident.

Circumstances of Child Near Fatality and Related Case Activity:

On October 3, 2013 Delaware County CYS received a referral [REDACTED] [REDACTED] indicating that child was brought to the hospital with left thigh swelling, abrasions to the face and [REDACTED]. The child was transferred to CHOP.

A caseworker from Delaware County CYS interviewed the family at CHOP and during the interview the caseworker learned that [REDACTED] watches the child while the mother is at school. It was reported that on 10/02/2013 [REDACTED] picked the child up at maternal grandfather's house at approximately 7:30 AM and returned him at 4:45 PM. The child became cranky and the family felt the child was fussing due to the discomfort of teething. When the child did not respond to the medication after several hours, the mother and maternal grandfather took the child to Crozier-Chester Hospital.

Upon examination, it was noted that the child had a [REDACTED], bruising on the right side of the face, both lower extremities and mid chest and, two [REDACTED] [REDACTED]. The child was transferred to CHOP.

[REDACTED] physician at Crozier-Chester Medical Center suspected non-accidental trauma. The incident was certified as a Near Fatality.

On 11/25/2013 the CPS investigation was Indicated for serious physical abuse. The determination was made based on the CPS investigation [REDACTED] was the only one caring for the child when the injury occurred, and the medical evidence documenting the injuries.

A safety assessment was conducted and the maternal great grandmother was named as the person to ensure the safety of the child. [REDACTED] [REDACTED] The child is up to date on his well-baby care. [REDACTED]

Current Case Status:

Mother and grandfather were cleared of any wrong doing by law enforcement. [REDACTED] [REDACTED] and family planning. [REDACTED]

[REDACTED] terminated his interview after 20 minutes and had been avoiding police. The officer was proceeding with the investigation but no criminal proceedings occurred. The maternal grandfather was advised to file a PFA as a form of protection for the child and his mother, however a PFA was never filed and the family has informed Delaware County CYS that the [REDACTED] has had no further contact with the family.

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

- Strengths:
All agencies: CYD, Police Department and hospital communicated well.
- Deficiencies: None
- Recommendations for Change at the Local Level: None
- Recommendations for Change at the State Level: None

Department Review of County Internal Report:

The Southeast Region was an active participant in the Delaware County Internal Act 33 near fatality review team. The Southeast Region is in receipt of the County's Act 33 review, and has reviewed it. The Department is in agreement with the findings.

Department of Public Welfare Findings:

- County Strengths:
The county provided follow up with public and private stake holders from the onset of the [REDACTED] report and investigation.
- County Weaknesses:
None identified
- Statutory and Regulatory Areas of Non-Compliance:
None identified

Department of Public Welfare Recommendations:

No recommendations provided.