



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 04/28/2016

Date of Incident: 01/10/2017

Date of Report to ChildLine: 01/10/2017

CWIS Referral ID: [REDACTED]

**FAMILY NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME
OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:**

Berks County Children & Youth Social Service Agency

REPORT FINALIZED ON:

09/05/2017

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. Section 6349 (b))

Reason for Review:

Pursuant to the Child Protective Services Law, the Department, through OCYF, must conduct a review and provide a written report of all cases of suspected child abuse that result in a 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.

The Child Protective Services Law also requires that county children and youth agencies convene a review when a report of child abuse involving a fatality or near fatality is substantiated or when a status determination has not been made regarding the report within 30 days of the report to ChildLine.

Berks County completed the Child Protective Services (CPS) investigation with an unfounded finding within 30 days; therefore, an Act 33 review was not required and did not occur.

Family Constellation:

First and Last Name:

[Redacted]

Relationship:

Victim Child
Mother
Father
Sibling
Sibling
Sibling
Sibling

Date of Birth:

04/28/2016
[Redacted] 1978
[Redacted] 1976
[Redacted] 2009
[Redacted] 2006
[Redacted] 2008
[Redacted] 2014

Summary of OCYF Child Near Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families obtained and reviewed current CPS investigative information, including the CY48, as well as written case documentation from the Berks County Children & Youth Social Services Agency (CYS).

Children and Youth Involvement prior to Incident:

The family had no prior history with Berks County CYS.

Circumstances of Child Near Fatality and Related Case Activity:

On January 10, 2017, the victim child, who was 8-months-old at the time of the incident, suffered substantial bodily injuries as a result of a fall, down a flight of stairs, which occurred in the home. At the time of the incident, the child was being supervised by her parents. The mother was named as the alleged perpetrator for failing to supervise the child. The child was somehow able to access the stairwell, at which time the child tumbled down twelve steps onto a concrete floor within the basement. It was estimated that the child fell a distance of 4ft. The family was utilizing a baby gate at the time of the incident which was not fully engaged as the

father needed to access the basement several times to use a fax machine that was located there. It was reported that the father went downstairs to get a fax and the child followed, falling down the stairs. The mother reported that she was in the room at the top of the stairs and momentarily lost sight of the child when the accident occurred. After the fall, it was reported that the parents responded immediately. It was also stated that the child did not lose consciousness or have any visible injuries. The child did appear upset, vomited and did have a prolonged period of crying as a result of the fall. An ambulance was called immediately after the incident and the child was transported to Lehigh Valley Children's Hospital in Allentown [REDACTED]

[REDACTED] The child also had no significant medical history and was up to date on her vaccinations. It was also reported that the child had been crawling for 1 month before the incident.

The child was admitted to the hospital [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] On January 10, 2017, the physician certified the report as a near fatality due to the serious nature of the child's condition as a result of the incident. [REDACTED]
[REDACTED] Berks County CYS was assigned to complete the investigation.

On January 12, 2017 [REDACTED] At the time [REDACTED], the child had stable vital signs, was awake and alert, eating normally, and did not appear to be in substantial pain or discomfort. The parents were instructed to follow up [REDACTED] within two weeks. A visit to the home was also conducted by the Berks County CYS caseworker and found to be appropriate. The family also has three other children who were interviewed at school. A safety assessment was conducted and determined the children to be "safe" in the home with no concerns for their care or supervision. Initially, the parents did not cooperate with the CPS investigation, refusing to be interviewed and did obtain legal representation. The parents did cooperate with a corresponding police investigation which determined that the child's injuries were caused as a result of an accident and they declined to press charges. Medical records obtained regarding the child's condition, revealed that the injuries sustained were consistent with the report made by the parents stating that the child fell.

On January 19, 2017, the results of the CPS investigation, conducted by Berks County CYS, was determined to be "unfounded" on the mother as the incident did not meet the Child Protective Service Law (CPSL) threshold. On February 2, 2017,

the case was closed. At the time of closure, a recommendation was made by Berks County CYC for the family to purchase a self-closing baby gate.

Summary of County Strengths, Deficiencies and Recommendations for Change as Identified by the County’s Child (Near) Fatality Report:

Strengths in compliance with statutes, regulations and services to children and families:

None were noted.

Deficiencies in compliance with statutes, regulations and services to children and families:

None were noted.

Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse:

Berks County CYC requested that the family purchase a self-closing baby gate.

Recommendations for changes at the state and local levels on monitoring and inspection of county agencies:

There were no recommendations.

Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse:

There were no recommendations.

Department Review of County Internal Report:

No Act 33 occurred as the investigation was completed within 30 days and was determined to be unfounded. This did not necessitate the need for an internal report.

Department of Human Services Findings:

The Department has reviewed case records from Berks County CYC and is in agreement with the CPS investigative findings of “unfounded.” The police department determined the incident to be accidental and declined to pursue charges against the parents. Medical authorities found that the injuries to the child were consistent with the report made by the parents that the child fell.

County Strengths:

Berks County CYS conducted and completed an appropriate CPS investigation within 30 days -fulfilling all regulatory requirements of the CPSL and Chapter 3490. It was also noted that the Berks County CYS worker did a competent job in sifting through and interpreting a substantial amount of information related to the child's medical condition. Much time and efforts were made to gain cooperation from the parents, and to make an appropriate assessment quickly, to allow the child to safely be reunited with her parents [REDACTED] [REDACTED] which occurred within a very brief period of time.

County Weaknesses:

None were noted.

Statutory and Regulatory Areas of Non-Compliance by the County Agency:

None were noted.

Department of Human Services Recommendations:

None were noted.