

REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 03/13/2013
Date of Incident: 04/09/2017
Date of Oral Report: 04/10/2017
CWIS Referral ID: [REDACTED]

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

York County Office of Children, Youth and Families

REPORT FINALIZED ON:
09/14/2017

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. 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.

York County Children, Youth and Families (YCCYF) has not convened a review team meeting because they received the report on 04/10/2017, and determined the status of the investigation to be unfounded and submitted the CY 48 to ChildLine on 05/04/2017. Since the determination was made within 30 days of the report to ChildLine a review team meeting was not required.

Family Constellation:

<u>First and Last Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	03/13/2013
* [REDACTED]	Biological Mother	[REDACTED] 1992
[REDACTED]	Biological Father	[REDACTED] 1989
[REDACTED]	Paternal Half-Sibling	[REDACTED] 2013
[REDACTED]	Paternal Half-Sibling	[REDACTED] 2010

*Denotes an individual that is not a household member or did not live in the home at the time of the incident, but is relevant to the report.

Summary of OCYF Child Near Fatality Review Activities:

The Central Region Office of Children, Youth and Families obtained and reviewed all current records pertaining to the family. The Central Region reviewed various reports, assessments, medical records and case documentation provided by YCCYF. Central Region staff also had ongoing telephone and email communications regarding this case.

Summary of Circumstances Prior to Incident:

The family was not known to YCCYF at the time of the incident. However the mother was involved and in placement with YCCYF as a child.

Circumstances of Child Near Fatality and Related Case Activity:

On 04/09/2017, the victim child was taken to York Memorial Hospital by the father. On 04/10/2017, the victim child was transferred Hershey Medical Center. [REDACTED]

[REDACTED] Physician at Hershey Medical Center certified this report as a near fatality. The victim child had the following facial injuries: [REDACTED]

[REDACTED]

although these injuries are not life-threatening, they are causing immediate functional concerns as well as cosmetic deformities. [REDACTED]

[REDACTED]

The referral source stated that the mother was present at the hospital with the victim child and she stated she is a "Moor" and she could not allow any further medical care until she consulted with her "elders." The mother was listed as the alleged perpetrator for failure to provide medical treatment and the father was listed as the alleged perpetrator for lack of supervision as the victim child was in his care when the injuries occurred.

On 04/10/2017, the YCCYF Caseworker met with mother at Hershey Medical Center. The Mother describes herself as a "Moor." According to the mother this is not a religion but a way of life. She believes "everything is of the earth." According to the Caseworker the mother asked hospital staff a lot of questions as she does not agree with a lot of medical decisions. [REDACTED]

[REDACTED]

The mother then agreed to a follow up medical appointment [REDACTED], this appointment was scheduled for 04/18/2017. According to the Caseworker the mother consented to the victim child [REDACTED] and the mother was not [REDACTED] but asking what other options may be available.

The father was interviewed at his home on 04/11/2017. He stated the victim child was on an overnight visit with him. The victim child was in a room with two older paternal half-siblings. The father was not in the room. The children were playing and the television fell on the victim child's face. The father reported putting the children to bed and did not know the children were up playing. The two older siblings were also interviewed and confirmed what the father stated. In addition they had stated the victim child had been pushing on the television when it fell on her face.

The mother and father were never married and the father had not been in the victim child's life for over a year. This was the victim child's first overnight visit

with her father. The father resides in York County and the mother resides in Dauphin County.

On 04/12/2017, the victim child [REDACTED] the mother's care. On 04/18/2017, YCCYF Supervisor was notified [REDACTED] that the mother did not bring the victim child in for her appointment on this date. On 04/18/17, the Supervisor called the mother who stated she is not taking child back to hospital [REDACTED]. The Supervisor called YCCYF Solicitor, who was not available so Supervisor left a voice mail.

On 04/20/2017, YCCYF Supervisor contacted Dauphin County Children and Youth (CYS) and informed them about the mother's failure to take the victim child to her scheduled appointment on 04/18/2017. This was the first contact YCCYF made with Dauphin County CYS. On 04/20/2017, [REDACTED] made a report to ChildLine that was registered as a General Protective Service (GPS) report. [REDACTED]

[REDACTED] On 04/25/2017, Dauphin CYS validated this GPS report.

On 04/25/17, [REDACTED] called a report in to ChildLine listing mother as the alleged perpetrator. This investigation was assigned to Dauphin County CYS. On 06/23/2017, the Child Protective Service report was indicated. It was determined that the mother acknowledged that she was fully aware of the risks of not following through with the medical recommendations. However, due to her beliefs she chose not to obtain the appropriate and necessary medical treatment the victim child needed. As of 8/24/2017, [REDACTED] Police is still conducting the criminal investigation.

On 05/04/2017, YCCYF unfounded the report regarding father's alleged lack of supervision. They also unfounded the report alleging mother failed to provide medical treatment, as the mother had consented to [REDACTED] and scheduled the follow-up appointment for 04/18/2017. [REDACTED] Police Department also conducted an investigation and closed the case with no charges filed.

As of 08/24/2017, the victim child remains in foster care. Visitation has been occurring with her father. However, her mother has refused to follow through with visitation at this time. [REDACTED]

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

An Act 33 meeting was not required because the investigation was unfounded within 30 days of the report to ChildLine. The report was received by ChildLine on 04/10/2017, and the CY 48 was filed on 05/04/2017.

Department Review of County Internal Report:

An Act 33 meeting was not required because the investigation was unfounded within 30 days of the report to ChildLine.

Department of Human Services Findings:

- County Strengths:

YCCYF responded to the incident in a timely manner and interviewed all parties and provided thorough documentation of these interviews in the case record.

YCCYF obtained all medical documentation from the York Memorial Hospital and Hershey Medical Center.

They worked collaboratively with the [REDACTED] Police Department.

YCCYF submitted all regulatory required documentation to the Central Region Office and ChildLine in a timely manner.

- County Weaknesses:

On 04/18/2017, YCCYF Supervisor was notified [REDACTED] that the mother did not bring the victim child in for her appointment on this date. On 04/18/17, the Supervisor called the mother who stated she is not taking child back to hospital for any further medical treatment. YCCYF failed to file a report with ChildLine and they did not contact Dauphin County Children and Youth until 04/20/2017.

YCCYF did not assess the victim child's safety in the mother's home, nor did they make a request to Dauphin County Children and Youth to assess the victim child's safety at her mother's home when she was released from the hospital into her mother's care on 04/12/2017.

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

Child Protective Service Law 23 Pa.C.S Chapter 63
6311(a)(8) Mandated reporters: An employee of a social services agency who has direct contact with children in the course of employment shall make a report of suspected child abuse, if the person has reasonable cause to suspect that a child is a victim of child abuse. On 04/18/17, YCCYF was

notified [REDACTED] that the mother did not bring the victim child in for her appointment on this date. On 04/18/17, YCCYF called the mother who stated she is not taking child back to hospital for any further medical treatment. YCCYF failed to file a report with ChildLine and they did not contact Dauphin County Children and Youth until 04/20/17.

6368(c)(1) An investigation shall include a determination of the safety or risk of harm to the child or any other child if each child continues to remain in the existing home environment. YCCYF did not assess the victim child's safety in the mother's home, nor did they make a request to Dauphin County Children and Youth to assess the victim child's safety at her mother's home when she was released from the hospital into her mother's care on 04/12/17.

6368(d)(1) Investigative actions during the investigation: The county agency shall provide or arrange for services necessary to protect the child while the agency is making a determination. After the victim child [REDACTED] on 04/12/2017, YCCYF did not visit mother's home nor did they request Dauphin County Children and Youth make a visit to mother's home. Victim child was not seen again until 04/20/17.

3490.60(1) In addition to those services required in Chapter 3130 the county agency shall provide, arrange or otherwise make available the following services for the prevention and treatment of child abuse: Emergency medical services which include appropriate emergency medical care for examination, evaluation and treatment of children suspected of being abused. After mother did not take victim child to her follow up appointment on 04/18/2017, YCCYF had contacted the mother who stated she was not taking the victim child for any further treatment. YCCYF did not make any attempt for medical treatment [REDACTED]

Department of Human Services Recommendations:

The Central Region Office recommends York County Children, Youth, and Families meet all regulatory guidelines regarding the Child Protective Service Law and child fatalities and near fatalities. The Central Region Office also recommends YCCYF continue to work collaboratively with law enforcement, medical personnel, service providers and the Central Region Office.