



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 08/06/2015
Date of Incident: 11/08/2017
Date of Report to ChildLine: 11/09/2017
CWIS Referral ID: [REDACTED]

FAMILY KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

Carbon County Children and Youth Services

REPORT FINALIZED ON:
05/10/2018

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.

Carbon County has not convened a review team in accordance with the Child Protective Services Law related to this report as the report was determined to be unfounded within 30 days.

Family Constellation:

First and Last Name:

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Relationship:

victim child
mother
father
mother's paramour
daughter of mother's
paramour
maternal grandmother

Date of Birth:

08/06/2015
[Redacted] 1990
[Redacted] 1983
[Redacted] 1982
[Redacted] 2004

* 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 Northeast Regional Office of Children, Youth and Families (NERO) obtained and reviewed all case records pertaining to [Redacted] family.

Summary of circumstances prior to Incident:

Carbon County Children and Youth Services (CCCYS) received one prior referral regarding this family. The referral was received on 11/05/2017, and reported that while the victim child's father was tickling her, she took his hands and put them down her pants. The father reported concern that the mother is teaching the victim child bad gestures and refused to send the child back to the mother after his visit. The police were called and told the mother to take the victim child to the emergency room. The victim child was examined at the emergency room and no signs of trauma were found. There was also an allegation that there had been domestic violence between the adults that the victim child had witnessed. This referral was assigned a response time of 7 to 10 days. CCCYS had not yet made contact with the family regarding that referral.

The victim child had been receiving services from [REDACTED] in the home on a weekly basis for a duration of 1 ½ hours per week. The child of the mother's paramour was receiving [REDACTED] services through [REDACTED].

Circumstances of Child Near Fatality and Related Case Activity:

On 11/09/2017, Carbon County Children and Youth Services (CCCYS) received a referral reporting that the victim child was presently under medical care at [REDACTED] due to ingesting an unknown amount of [REDACTED]. The victim child presented to G [REDACTED] on 11/08/2017, as sleepy. It was reported that the mother was the only person home with the victim child at the time of the incident. The mother had reportedly offered two different stories regarding how she found the child. At first, the mother reported that she found the victim lying on the couch with an empty bottle of her paramour's daughter's [REDACTED] next to her. The mother later stated that she found the victim child in the other child's room with the empty bag of medication next to her. The child was intubated due to periods of apnea and transferred to [REDACTED]. The report was registered for causing serious physical neglect of a child / repeated, prolonged, or egregious failure to supervise resulting in overdose / intoxication / impairment. The mother was identified as the alleged perpetrator. CCCYS received two supplemental reports regarding the same incident. The second supplemental report received on 11/13/2017, caused the initial report to be upgraded to a near fatality report as a physician certified that the victim child had been in serious or critical condition at the time the initial report was made. The first supplemental report received on 11/09/2017, also stated that a doctor had certified the victim child to be in critical condition. However, the report did not identify the physician.

On 11/09/2017, a caseworker from Lehigh County Children and Youth Services completed the initial contact and safety assessment of the victim child at [REDACTED]. The worker spoke with the father, at that time, who reported that the mother had taken a nap and left the victim child unattended. The father stated that the mother told him that her paramour's child takes [REDACTED] to sleep. The father also reported that the mother keeps medication in a plastic baggie on the bed table in the room beside the couch. He showed the caseworker bottles labeled [REDACTED] .5mg, [REDACTED] 100 mg, [REDACTED] 150 mg, and [REDACTED] 75 mg. The worker was informed that the mother was enroute to the hospital and expected within thirty minutes.

CCCYS visited the mother's home unannounced on 11/09/2017. However, no one was home. On 11/09/2017, the CCCYS on-call supervisor directed the on-call caseworker to call the mother to make a plan that the victim child had to go with the father until further investigation takes place or the mother needed to identify a full time supervisor in her home for the child and would not be unsupervised with the child until approved by CCCYS. The on call caseworker then spoke with both parents via phone and informed them that the safety plan is for the victim child to be with the father or with the mother supervised by maternal grandmother for the weekend until Monday, 11/13/2017, when the office begins to investigate the

incident. On 11/09/2017, the caseworker then called the maternal grandmother to verify she will be supervising the mother with the victim child from discharge from the hospital until 11/13/2017.

On 11/13/2017, CCCYS made an announced visit to the home of the mother. A caseworker interviewed the mother. The mother reported that she is prescribed [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] for [REDACTED] and [REDACTED]. The mother informed the caseworker that she had been [REDACTED] during the first week of the victim child's life as she wanted to hurt the victim child. The mother denied any current drug or alcohol abuse issues and reported that the father of the victim child had been verbally and mentally abusive to her. She also reported that the father has a criminal history and abuses drugs and alcohol. It was learned that the biological parents do not reside together and that the father has the victim child every other weekend for visitation. Regarding the referral incident, the mother reported that she had been lying on the couch and the victim child was walking around the living room. The mother reported that she expected the victim child to lie down to watch cartoons and was waiting for the victim child to climb up by her. The mother reported she fell asleep around 2:00 PM and then heard victim child messing with the hamster that was on the floor next to the couch. Mother reported she got up and saw the hamster paper on the floor, got the broom and started sweeping up the paper and found the sandwich bag. The bag said "Haily pills" on it and was empty. The mother reported that the victim child appeared fine at that time. The mother then found 5 pills on the couch. The victim child then climbed up on to the couch and started to nod off. The mother then took the victim child to the doctor at 2:45 PM and the doctor told the mother to take the victim child directly to the Emergency Room. The mother then reported that she walked the victim child across the street to the [REDACTED] and the victim child was transported via Medivac to the Pediatric Intensive Care Unit at [REDACTED]. The mother reported that the paramour was at work and his daughter was at school when the incident occurred. The home visit and interview revealed no current safety threats. The mother showed the caseworker that the medications are now kept on the top shelf in the closet in the mother's room in a containers with a twist lid. The caseworker documented that she then "lifted the verbal safety agreement that the mother would be supervised until cleared." The maternal grandmother was present during this home visit and was reportedly staying with the family until after the [REDACTED] scheduled for 11/14/2017.

During this home visit, the caseworker interviewed the daughter of the mother's paramour. This child reported that she is prescribed [REDACTED] for [REDACTED] and [REDACTED] for [REDACTED]. The child reported the pills were in a zip lock bag. The child reported that her grandmother keeps the pills and puts them in a bag with her name on them. The child reported that her grandmother had given her the bag a few days before the incident and that she keeps the bag upstairs on her table next to her TV. The child added that she might remember there being a bag next to the TV downstairs but she doesn't think so. The child reported that when she came home from school, the mother told her she

found a bag, the victim child laid down, and then the mother ran with the victim child to go to the doctors.

On 11/22/2017, CCCYS interviewed the father. The father denied any [REDACTED] issues and acknowledged a drug abuse history and criminal history. He reported he is on parole until 2019. The father reported that he does not feel that the mother is connected to the victim child but that he did not feel the mother would hurt the victim child. The father did not report any current concerns regarding the mother and her care of the victim child.

CCCYS interviewed the mother's paramour on 12/06/2017. He reported that the mother of his daughter was in prison for involuntary manslaughter for shooting and killing her 19 month old son. He reported that, at that time, he allowed his mother to have primary physical custody of his daughter and they shared legal custody. The grandmother has been taking the child to all appointments and med checks and when he and his daughter moved out of his mother's home, she still wanted to control the medication, giving just a few at a time. He reported that he now has the medication in the bottle and is going to take primary physical custody back of his daughter. His daughter is diagnosed with [REDACTED] and [REDACTED] and is currently having truancy issues.

The file review did not note any collateral contact between CCCYS and [REDACTED], [REDACTED], or the school district.

On 12/07/2017, CCCYS determined the report to be unfounded. The outcome explanation noted that the incident was accidental, unintentional, and the victim child experienced no lasting impairment. The case was also closed with CCCYS on 12/07/2017.

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

The county did not convene a community review team as the report was determined to be unfounded within thirty days.

Department Review of County Internal Report:

The county did not convene a community review team as the report was determined to be unfounded within thirty days.

Department of Human Services Findings:

- **County Strengths:**
 - CCCYS obtained all medical records for the victim child.
 - CCCYS ensure that the victim child was seen within 24 hours of receipt of the report.
 - All household members were interviewed during the investigation.
 - Law enforcement was notified of the report.

- County Weaknesses:
 - There was no record of any contact with the school although truancy was identified as a concern for the child of the mother's paramour.
 - No collateral contact occurred with the service providers involved with the family.
 - It remains unknown where the mother's medications are kept and there was no collateral contact with the prescribing physicians.
 - There was no evidence of a joint investigation completed by CCCYS and law enforcement.

- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
 - CCCYS implemented a verbal safety plan prior to assessing safety. The safety plan involved identification of a maternal grandmother as a responsible party. However, no assessment was completed to determine if the maternal grandmother was an appropriate caregiver.
 - The investigation included no interview with the mother of the mother's paramour although the mother's paramour reported that his mother had custody of his child and administered the medication.
 - The case record does not reflect that the mother was verbally notified of her rights prior to being interviewed.

A Licensing Inspection Summary is being issued to the agency in order to address these identified areas of non-compliance.

Department of Human Services Recommendations:

The Child Protective Services Law requires that a "multidisciplinary investigative team shall be used to coordinate child abuse investigations between county agencies and law enforcement. The county agency and the district attorney shall develop a protocol for the convening of multidisciplinary investigative teams for any case of child abuse by a perpetrator involving crimes against children." The Department recognizes continued need to support counties in the development of a collaborative and functioning multidisciplinary investigative teams.