



Elaine C. Bobick
Regional Director

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
BUREAU OF CHILDREN AND FAMILY SERVICES
WESTERN REGION
11 Stanwix Street, Room 260
Pittsburgh, Pennsylvania 15222

(412) 565-5728
Fax: (412) 565-7808

REPORT ON THE NEAR FATALITY OF:



BORN: 06/22/11
NEAR DEATH: 03/09/12

FAMILY NOT KNOWN TO:
Erie County Children and Youth Services

REPORT FINALIZED ON:

03/29/13

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.
(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. Erie County has not convened a review team in accordance with Act 33 of 2008 related to this report.

Summary of Review**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	06/22/11
[REDACTED]	Mother	[REDACTED] 83
[REDACTED]	Father	[REDACTED] 85
[REDACTED]	Maternal Grandmother	[REDACTED] 63

Notification of Child Near Fatality:

The victim child was taken to the Emergency Room at [REDACTED] in Erie on 03/08/12 due to being lethargic and vomiting. A CAT scan was performed and showed a large [REDACTED]. The child's mother had reported that the child had fallen off the couch onto a carpeted floor. The child was diagnosed with a [REDACTED] [REDACTED] as the child's condition was life threatening. The child was then life flighted to [REDACTED] at approximately 3:30 am on 03/09/12. [REDACTED] at [REDACTED] certified the child in critical condition due to suspected abuse. The alleged perpetrator, the victim child's mother, was interviewed by PA State Trooper, [REDACTED] from the Pittsburgh PA Barracks. The alleged perpetrator stated that at 7:00 pm on 3/08/12 she sat the child on the couch and placed several pillows around him while she did paperwork at the dining room table. She turned her head away from the child and within seconds heard a "thump". She looked over, and saw the child lying on the floor crying. For the next few hours, from 7pm to 10 pm, the alleged perpetrator and maternal grandmother tried to soothe

the child, gave him ibuprofen and tried to distract him. The child vomited and was not presenting with his normal behaviors. The alleged perpetrator researched the child's symptoms on the internet and decided to take the child to [REDACTED] Emergency Room where he was evaluated.

Summary of DPW Child Near Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed current case records pertaining to the [REDACTED] family. A County Fatality Review Team meeting was not conducted as the investigation was completed within 30 days. Additional information was provided to the Department by [REDACTED] Erie County Children and Youth Services caseworker.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

The family did not have any prior involvement with Erie County Children and Youth Services.

Circumstances of Child Near Fatality and Related Case Activity:

The victim child was taken to the Emergency Room at [REDACTED] in Erie on 03/08/12 due to being lethargic and vomiting. A CAT scan was performed and showed a [REDACTED]. The child's mother had reported that the child had fallen off the couch onto a carpeted floor. The child was diagnosed with a [REDACTED] as the child's condition was life threatening, and then life flighted to [REDACTED] at approximately 3:30 am on 03/09/12. The alleged perpetrator was interviewed by PA State Trooper, [REDACTED], from the Pittsburgh PA Barracks. The alleged perpetrator stated that at 7:00 pm on 3/08/12 she sat the child on the couch and placed several pillows around him while she did paperwork at the dining room table. She turned her head away from the child and within seconds heard a "thump". She looked over, and saw the child lying on the floor crying. For the next few hours, from 7pm to 10 pm, the alleged perpetrator and maternal grandmother tried to soothe the child, gave him ibuprofen and tried to distract him. The child vomited and was not presenting with his normal behaviors. The alleged perpetrator researched the child's symptoms on the internet and decided to take the child to [REDACTED] Emergency Room where he was evaluated. [REDACTED] the child abuse medical expert at the [REDACTED] worked with several other doctors, social workers, radiologists, the police and CYS to assist in the determination of

investigation. The child's injuries were severe and life threatening; however, the final medical opinion provided by [REDACTED] was that the child's injury, although not likely, is possible based on the alleged perpetrator's explanation. The Dr.'s opinion represents the opinions of consulting peers, the presentation and cooperation of the alleged perpetrator, the interaction between the alleged perpetrator and the child, along with discussions with the PA State Police. The child did not present with any other injuries suggesting abuse or as seen in [REDACTED]. The State Police, at the discretion of the District Attorney's Office is not filing charges and closed their investigation. The child's home environment has been assessed and found to be safe. The parents installed several safety features provided to them by [REDACTED] such as electrical outlet covers, kitchen and bathroom cupboard locks, toilet lock and table corner covers. Written literature about child safety and a DVD regarding [REDACTED] was also provided to the parents by [REDACTED].

Based on the information provided by [REDACTED] in conjunction with the completed abuse investigation, the report was unfounded on 04/02/12, as the child's injuries appeared to be accidental in nature. The child was discharged from [REDACTED] to his parent's home on 03/12/12. The investigation determined that the child's injuries were accidental in nature; therefore, the child abuse investigation was unfounded on 04/02/12. There are no other children in the family home.

Current Case Status:

The child has made a full recovery and has no medical issues or delays as a result of the injury. The State Police, at the discretion of the District Attorney's Office is not filing charges and closed their investigation. The child's home environment has been assessed and found to be safe. The parent's installed several safety features provided to them by [REDACTED]. There was a referral made for [REDACTED]. The child will remain in the tracking program through [REDACTED] and will be seen every six months through that program. The family was not open for any supportive services with Erie County Children and Youth Services.

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

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. Erie County has not convened a review team as the status determination was made prior to 30 days of the oral report and the report was made unfounded. Therefore, a County Near Fatality Report is not required.

Department Review of County Internal Report:

The County was not required to complete an internal report as the case was unfounded within 30 days.

Department of Public Welfare Findings:

The Department found no concerns with the way the investigation was handled by Erie County. Erie County Children and Youth Services responded and acted appropriately to the child abuse allegations. Erie County Children and Youth Services submitted the CY 48 to ChildLine on 04/02/12 which unfounded the child abuse investigation naming the mother as the alleged perpetrator. The County completed their investigation in a timely manner.

Department of Public Welfare Recommendations:

The Department has no recommendations as a result of this Near Fatality.