

**Office of Children, Youth and Families**

**Gabi Williams  
Director  
Central Region**

**1401 N. 7<sup>th</sup> St., 4<sup>th</sup> floor  
Bertolino Bld.  
Harrisburg, Pennsylvania, 17105**

**717-772-7702  
Fax: 717-772-7071**

**REPORT ON THE NEAR FATALITY OF**

**[REDACTED]**

**Date of Birth: [REDACTED] 2010  
Date of Near Fatality: 08/21/2010**

**FAMILY NOT KNOWN TO YORK COUNTY CHILDREN AND YOUTH**

**REPORT DATED 01/19/11**

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. Section 6349 (b)).

**Reason for Review**

Senate Bill No. 1147 now known as Act 33 was signed on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatalities that were suspected to have occurred due to child abuse. DPW must conduct child fatality and near fatality reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	[REDACTED] 2010
[REDACTED]	Sibling	[REDACTED] 2007
[REDACTED]	Mother	[REDACTED] 1977
[REDACTED]	Father	[REDACTED] 1975
[REDACTED]	PGM	[REDACTED] 1949

\*Non-Household member

**Notification of Near Fatality:**

York County Children and Youth Services received this referral [REDACTED] on August 22, 2010 alleging the child had a subdural hematoma and retinal hemorrhages, [REDACTED]. The injuries required the child to be flown from York Memorial Hospital, where he was originally taken, to Hershey Medical Center for further care. A supplemental referral was made [REDACTED].

**Documentation Reviewed and Individuals Interviewed:**

For this review Central Region interviewed:

- [REDACTED] Supervisor at York County Children & Youth Services (CYS)
- [REDACTED] case worker at York County Children & Youth Services

Central Region reviewed:

- Child Death Data Tool
- Case file

**Previous CY Involvement:**

None

### Circumstances of Child's Near Fatality:

The agency received this referral [REDACTED] on August 22, 2010 alleging the child had a subdural hematoma and retinal hemorrhages, [REDACTED]. The injuries included bruising on the back of both of the child's elbows and left axilla (armpit), a subdural hematoma and retinal hemorrhages that required the child to be flown from York Memorial Hospital, where he had initially been taken, to Hershey Medical Center for further care. A CT scan was performed on the child. The child had abusive head trauma according to Hershey Medical Center. [REDACTED]

Mother and Father offered different explanations about the injury. The child was lethargic and was taken to York Hospital on 8/21/2010 by the parents. The father reported that on 8/21/2010 that child was lying on the floor and rolled over and hit his head. There was bruising on the back of both of the child's elbows and left axilla (armpit). This type of injury is more consistent with "shaken baby" syndrome. [REDACTED]

[REDACTED] The parents were the sole caretakers. Mother works 1<sup>st</sup> shift while father works 3<sup>rd</sup> shift.

York County CYS went to Hershey Medical Center and spoke with the doctors, parents, paternal grandmother and [REDACTED], the investigating officer. The caseworker also called the on-call Assistant District Attorney (ADA) about the child. A safety plan was developed to include that the children were to be cared for by the paternal grandmother. The two families switched homes so as not to subject the sibling to any additional trauma. The father and the mother were residing at his mother's home in [REDACTED], while the grandmother moved into the parent's home to provide care for the children. The safety plan was no unsupervised contact between the children and the parents. York County CYS conducted unannounced home visits to verify that the safety plan was being followed. The grandmother and other family members provided [REDACTED] for the visits. The family was [REDACTED] October 20, 2010.

York County CYS initially filed a petition for dependency to give the paternal grandmother Kinship care status while caring for the children. CYS was looking for long term care for the children [REDACTED]. Based on the lack of concrete evidence, the agency withdrew the dependency petition in regards to the sibling and vacated the safety plan allowing her to go back into the care of her parents. The Judge ordered the initial safety plan vacated; both children back in their home with their parents and the parents to seek a second medical opinion. The next Dependency Hearing was scheduled for February 28, 2011, allowing the parents adequate time to obtain a second opinion from the Children's National Medical Center in Washington, DC.

[REDACTED]

(For further details please refer to the remaining sections)

**Current/Most Recent Status of Case:**

[REDACTED]. The family hired Philadelphia lawyer, [REDACTED], who is known for his "shaken baby syndrome defense". A CT scan was performed on the child. The child has an [REDACTED] head trauma according to Hershey Medical Center. Doctors were reluctant to label this incident as "shaken baby" however, the injuries sustained are not consistent with the information provided by the parents.

[REDACTED], the agency received additional information from the Hershey Medical staff that they could not say for sure that the injuries were caused by [REDACTED]. The child's MRI was sent to Children's Hospital of Philadelphia (CHOP) and retinal images were sent to a doctor in Cincinnati. There was a chance that the child had a medical condition called [REDACTED]

[REDACTED]. If the child does have this condition, there are studies that support that the child could have bumped his head, causing the Subdural Hematoma. York CYS solicitor attempted to get the results of the MRI from CHOP, however; CHOP will not provide the information to York County CYS. Information provided from the doctor in Cincinnati was not definitive and was unable to rule the injury as abuse. An expert opinion for retinal hemorrhaging is needed and the child is being sent to an Ophthalmologist.

The child improved enough [REDACTED] on August 25, 2010. Since the cause of the trauma at this point is unknown, any lasting effects are unknown as well. The next Dependency Hearing was scheduled for February 28, 2011, to allow the parents adequate time to obtain a second opinion from the Children's National Medical Center in Washington, DC, which was scheduled for December 22, 2010 at 10:45. The second opinion from the Children's National Medical Center in Washington, DC could not provide a clear explanation for the child's hemorrhages.

On October 20, 2010 the agency completed the investigation [REDACTED]

[REDACTED] The agency continued to remain involved pending the family obtaining a second medical opinion to determine what caused the head injury. Court ordered monthly monitoring visits by the Agency were held.

At the February 28, 2011 dependency hearing, York County Children & Youth was ordered to close their case. Since the child's return home he has been well. He has no signs or symptoms of continued or recurrent subdural hemorrhages. He is not presently receiving any outpatient services [REDACTED]

[REDACTED]

There is a history of [REDACTED] on father's side and a history of [REDACTED] mother's side of the family. The C-spine has no evidence of soft tissue swelling to suggest some kind of shaking injury. The child's subsequent visits with ophthalmology have demonstrated good vision and complete resolution of the retinal hemorrhages. He has not had a seizure in quite some time [REDACTED]. In the end no clear explanation can be provided for his hemorrhages.

**Services to Children and Families:**

The family was opened with York County Children, Youth and Families October 20, 2010 regarding the concern of an unexplainable head injury to their 6 month child. The agency continued to remain involved with the family in the form of monthly contact pending the family obtaining a second medical opinion to determine the cause of the child's head injury. The family obtained a second medical opinion in December 2010 and no clear explanation for the injuries could be determined. [REDACTED]

**County Strengths and Deficiencies as identified by the County's Near Fatality Report:**

York County Children & Youth Services held the Multi-Disciplinary Team (MDT) meeting on September 28, 2010 due to scheduling difficulties with [REDACTED]. The agency completed the investigation [REDACTED].

**County Recommendations for changes at the Local Levels as identified by Fatality Report:**

None.

**Central Region Findings:**

The York Area Regional Police Department have not filed any charges against the parents. [REDACTED]

[REDACTED]. Medical opinions of the injury have not reached a consensus.

**Statutory and Regulatory Compliance Issues:**

There were no apparent regulatory violations by York County Children and Youth Services in the handling of this case.