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REPORT ON THE NEAR FATALITY OF

[REDACTED]

BORN: [REDACTED] 2011
Date of incident: 02/11/2012

The family was not previously known to any private or public children and youth agencies prior to the incident.

REPORT FINALIZED ON: 04/11/2013

DATE OF ORAL REPORT: 02/11/2012

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. Butler County Children and Youth Services has convened a review team in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Mother	[REDACTED]/85
[REDACTED]	Male Household Member	[REDACTED]/78
[REDACTED]	Female Household Member	[REDACTED]/83
[REDACTED]	Victim Child	[REDACTED]/12
* [REDACTED]	Babysitter/Perpetrator	[REDACTED]44

*not a household member

Notification of Child Near Fatality:

During the morning of 02/11/12, the victim child allegedly became unresponsive at home with the mother. The mother stated that she had put the child on the floor, and when she returned the child's eyes were "not right". The mother reported that she was alone with the child when this occurred. The mother initially stated that her paramour's sister and her paramour lived in the home, but later denied this information. The child was brought to the hospital by car at 1:30 pm on 2/11/2012. The mother is Vietnamese and only speaks Vietnamese. The mother was interviewed with the assistance of an interpreter. The child was diagnosed with [REDACTED], mostly on the right side. The examining physician, [REDACTED], believed it was likely that the injury was a result of head trauma and may be the result [REDACTED]. The child was admitted to [REDACTED], but was doing well and was expected to survive. The child was originally stated to be in serious condition as a result of suspected abuse and neglect. Butler County Children and Youth Services initially received a verbal report regarding this incident on 02/13/12 at approximately 5:00 pm. Butler County Children and Youth Services stated that at that time they were not notified that it was being considered a near fatality. On 02/14/12, the agency was notified of the near fatality by their Program Representative from the Department.

Summary of DPW Child Near Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed all current case records pertaining to the [REDACTED] family. A follow up interview was conducted with the county caseworker on 05/31/12. The regional office also participated in the County Internal Fatality Review Team meeting on 05/31/12, where copies of the medical examiners reports were presented.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

Butler County Children and Youth Services had no involvement with this family prior to the report received by the county on 02/13/12, nor was there any information to indicate that the family had involvement with other counties within the preceding 16-months.

Circumstances of Child Near Fatality and Related Case Activity:

Butler County Children and Youth Services learned through their investigation that at approximately 9:00 am on 02/11/12, the victim child's mother and her roommate, [REDACTED] drove the child to the home of a babysitter, [REDACTED] who was later determined to be the alleged perpetrator in this case. The mother's roommate carried the child into the babysitter's home in his infant car seat. The child was sleeping at that time. The mother's roommate then left the home and left the child in the care of [REDACTED]. [REDACTED] was acting as a babysitter/caretaker for the child. The mother's roommate then drove the mother to her place of employment and then drove himself to his place of employment. The babysitter/alleged perpetrator reported that the child awoke at approximately 10:30 am. At that time, the babysitter removed the child from his infant car seat and proceeded to attempt to feed the child a bottle. The babysitter described the child as being fussy while she was attempting to feed the child, so she attempted to force the bottle into his mouth as a means to get him to drink from the bottle. The babysitter stated that the victim child at that time appeared to be choking on the milk and his body went limp. At that time, the babysitter called for assistance from a 15-year old household member, [REDACTED], who was in the upstairs of the house. [REDACTED] responded by coming down stairs. [REDACTED] proceeded to perform CPR on the victim child in an attempt to get him breathing and stop choking on the milk. The victim child responded to the CPR and began breathing. He did not appear to be in any distress following the CPR. The babysitter reported at that time she telephoned her nephew, who is also the mother's roommate's employer, to tell him that there was a medical concern for the child and that he needed to come pick the child up. He immediately went to the babysitter's residence and picked the child up. He then drove and picked up the child's mother from her place of employment. The three of them then returned home. The mother and her roommate reported that once they got the child home, they felt that he wasn't acting like himself and

they called the babysitter to see what she had done to the child. The babysitter denied harming the child, but instructed the mother to take the child to Children's Hospital of Pittsburgh. The mother and her roommate agreed to do so and transported the child in their own vehicle to the emergency room of Children's Hospital [REDACTED]; arriving there at approximately 1:30 pm.

On 2/13/2012, because of the age of the child and the nature of the injury, the [REDACTED] Children's Hospital was contacted and provided consultation to the [REDACTED] staff; and subsequently informed Butler County Children and Youth Services of the child's condition. Butler County Children and Youth Services received the report of suspected child abuse on 02/13/12 at 5:49 pm. The case was assigned to a caseworker for investigation the same evening. Upon receipt of the information, the Butler County Children and Youth Services caseworker verbally made a referral to the [REDACTED] Police Department for investigation. The CY104 was sent to the police department on 02/14/12. A courtesy contact was made with the victim child at Children's Hospital of Pittsburgh by an Allegheny County Children, Youth and Families caseworker on the evening of 02/13/12. A caseworker from Butler County Children and Youth Services contacted the reporting source, [REDACTED], at Children's Hospital of Pittsburgh on 02/14/12 via telephone [REDACTED] reported that the victim child had an [REDACTED] too numerous to count; with most of the blood being located on the right side. On 02/14/12, the child had [REDACTED]. The victim child was on the [REDACTED] floor and was relatively stable. The child was [REDACTED] [REDACTED] did state that the child had serious injuries as a result of [REDACTED], but that the child was not in critical condition. [REDACTED] believed that the child was injured on the morning of 02/11/12, so the investigation would need to determine who was present with the child at that time.

On 02/15/12 the Butler County Children and Youth Services Caseworker went to Children's Hospital of Pittsburgh to meet with the child's mother, her roommate and a female friend. The Language Line phone system was utilized to talk with the child's mother due to the language barrier. While at the hospital on this date, the caseworker spoke to [REDACTED]. The assigned social worker reported that [REDACTED] believed that the child would need to have a safety plan upon discharge from the hospital. The victim child was [REDACTED] from Children's Hospital of Pittsburgh on 02/17/12 and [REDACTED] on that date. The child was on [REDACTED] upon discharge and required follow up appointments [REDACTED].

The investigation of the cause of the child's injuries was difficult because of the language barriers between the mother and the county agency. The mother, the babysitter, and the mother's friends speak fluent Vietnamese with minimal to no English comprehension.

The mother is an illegal alien from Vietnam who resides with close friends in Cranberry Township, Butler County. Initially the mother reported that she was the sole caregiver of

the child. As the investigation developed, it was learned that the child had been with the babysitter. The babysitter/alleged perpetrator is also Vietnamese and speaks no English. On 02/17/12 Butler County Children and Youth Services secured interpreter services with [REDACTED].

Based on the professional medical opinion of Dr. [REDACTED] the babysitter, has been identified as the perpetrator of the serious bodily injury to the victim child. [REDACTED] asserted that based on the report that the child went limp while in the babysitter's care and her response to having the household member perform CPR; it is [REDACTED] medical opinion that that was the time of the [REDACTED] incident which would have caused the victim child's injuries. [REDACTED] states that it is very common for a child to go limp and unresponsive immediately following a serious shaking incident. All parties interviewed verified that the victim child's mother was not the sole caregiver of the child at the time of the injury as initially reported. Butler County Children and Youth Services submitted the CY 48 to ChildLine on 04/11/12 indicating the babysitter, [REDACTED], as the perpetrator of serious bodily injury to the victim child. The victim child was returned to the care and custody of his mother on 03/28/12, as the investigation had determined that the mother was not the caregiver of the child at the time of injury. While the child [REDACTED], the child visited with his mother for three hours two times per week. The child's mother attended all of his medical appointments accompanied by an interpreter.

The investigation determined that the mother and victim child have been residing and continue to reside in the home of a couple with whom they are friends/roommates in Butler County.

Current Case Status:

Due to the investigation determining that [REDACTED] was the responsible caregiver of the victim child at the time of his injury, [REDACTED] was named as the perpetrator of the child's abuse. Butler County Children and Youth Services notified the family whom [REDACTED] resides with of the indicated case against her. The Agency has explained to the family with the assistance of an interpreter that the Agency strongly discourages [REDACTED] to be alone with children as a caregiver. The family appeared to understand and has been cooperative. There have been no other concerns, allegations or evidence that the caregiver has harmed any other children for which she has provided care for. The perpetrator has denied ever harming the victim child. [REDACTED] Police are not pursuing criminal charges against anyone in this case.

The victim child and family continue to receive comprehensive services through Butler County Children and Youth Services with regular contact being made by the assigned Children and Youth Services caseworker and several service providers. There are currently crisis in home stabilization services to ensure [REDACTED] safety in the home of his mother; services are extended to the family between 5 to 15 hours per week. The service provider gives the mother intensive coaching regarding [REDACTED] medical needs and care. ~~The Butler County Children and Youth Services caseworker and an in-home service~~

provider have in person contact 4-5 days per week. The victim child is also receiving [REDACTED] Services through Butler County. The victim child is doing well medically and does not currently display lasting effects from the injuries.

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. Butler County has convened a review team in accordance with Act 33 of 2008 related to this report.

- Strengths:

Butler County Children and Youth Service was thorough in its investigation of the child's injury and proactive in managing the language barrier and cultural differences presented by the family. The child and family continue to receive comprehensive services through Butler County Children and Youth Services with regular contact being made by the assigned caseworker and service providers.

- Deficiencies:

None identified.

- Recommendations for Change at the Local Level:

None identified.

- Recommendations for Change at the State Level:

None identified.

Department Review of County Internal Report:

The Department received Butler County's Final Near Fatality Report on June 18, 2012; the report satisfactorily describes the near fatality event and the agency's subsequent intervention.

Department of Public Welfare Findings:

County Strengths:

Butler County Children, Youth and Families responded and acted appropriately to the child abuse allegations and implemented a safety plan for the victim child which included his [REDACTED] during the investigation. The child is currently in good condition and is healthy. This case was presented to the county Fatality/Near Fatality Review Team on 03/01/12, 03/15/12, 04/19/12 and 5/31/12.

The county indicated the child abuse investigation for [REDACTED] on 04/11/12, identifying his babysitter as the perpetrator. Butler County Children and Youth Services continues to extend services to the family.

The county filed all the required documents in the required time frame.

County Weaknesses:

There were no weaknesses identified.

Statutory and Regulatory Areas of Non-Compliance:

There were no areas of non-compliance identified during the review.

Department of Public Welfare Recommendations:

There are no recommendations from the Department.