

**Office of Children, Youth and Families**

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**REPORT ON THE DEATH OF**

**Kemale Alston**

**DOB: 09/17/08**  
**DATE OF DEATH**  
**06/06/09**

**FAMILY KNOWN TO:**  
**Dauphin County Children and Youth Services**

  
**Early Intervention**

**REPORT FINALIZED. 2/4/2010**

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 by Governor Rendell 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 the standards for reviewing and reporting child fatality and near child fatalities that were suspected to have occurred die 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>
Kemale Alston	Victim Child	9/17/08
[REDACTED]	Twin Brother	[REDACTED] 2008
[REDACTED]	Mother	[REDACTED] 1988
[REDACTED]	Father	[REDACTED] 1988
[REDACTED]	Paternal Grandmother	[REDACTED] 1966

**Notification of Fatality/Near Fatality:**

On 6/8/09, [REDACTED] called Dauphin County Children and Youth Services regarding the deceased victim child. The child had stopped breathing at home and was taken to the emergency room at Harrisburg Hospital by ambulance. Child was pronounced dead at the emergency room. [REDACTED] revealed lung complications as cause of death. [REDACTED]

[REDACTED], the child was born at 25 weeks gestation and spent 3 ½ weeks [REDACTED] at Hershey Medical Center with [REDACTED]. The child had to be followed up to prevent [REDACTED], a potentially deadly [REDACTED] condition. The child was last seen by the doctor on 2/17/2009. The child needed to be seen every 3 months by a pulmonologist. An appointment for 5/18/09 was cancelled and rescheduled for 5/19/09. The child did not show up for the appointment. Another appointment was scheduled for 6/3/09 and again the child did not show up. [REDACTED]

**Documentation Reviewed and Individuals Interviewed:**

Central Region staff interviewed the [REDACTED] intake supervisor and caseworker assigned to the investigation. The case file, file notes, medical information and MDT were reviewed. The autopsy report is still pending.



[REDACTED]

**Circumstances of Child's Fatality:**

The child was born at 25 weeks gestation with [REDACTED] and spent 3 ½ (weeks) [REDACTED] at Hershey Medical Center. The child had to be followed up to prevent [REDACTED], a potentially deadly condition. The child was last seen by Dr. [REDACTED] on 2/17/2009 which was a missed appointment from 2/8/09. Follow up visits on 5/17/09, 5/18/09 and 6/3/09 with Dr. [REDACTED] were also missed.

The child needed to be seen every 3 months by Dr. [REDACTED] with Hershey Medical Center, however the child missed 2 appointments on 1/16/09 and 4/29/09. An appointment for 5/18/09 was cancelled and rescheduled for 5/19/09. The child did not show up for the appointment. Another appointment was scheduled for 6/3/09 and again was missed.

The child, born with [REDACTED] were both attending [REDACTED] since 4/3/09. On 6/4/09 the victim child and his twin brother were both out sick and were home with their mother. On 6/5/09 the victim child was at [REDACTED] without the twin who was home with [REDACTED]. According to [REDACTED], the victim child was fine and there were no concerns regarding the child's condition on 6/5/09. On 6/8/09 the child had stopped breathing at home and was taken to the emergency room at Harrisburg Hospital by ambulance. The child was pronounced dead at the emergency room. Preliminary hospital report revealed lung complications as cause of death. [REDACTED]

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

- [REDACTED]
- The criminal investigation with Harrisburg Police Dept. is still pending.
  - Dauphin County Children and Youth accepted the family for services on 6/17/09. The twin brother was hospitalized at Hershey Medical Center on 6/8/09 and remained at Hershey Medical Center due to medical complications [REDACTED]. He was placed in foster care through Bair Foundation until 7/2/09, and was then moved to the kinship home of paternal grandmother. The safety plan was Dauphin County C&Y will follow up to make sure his medical needs are being met. Until the

coroner report is completed, the paternal grandmother will be the 24 hour caregiver. On 10/13/09 the mother gave birth to a healthy son. The infant was also placed with paternal grandmother [REDACTED]. The case remains open for services with permanency goal of returning home to their parents.

**Services to Children and Families:**

- The parents were referred to Parents Works for parenting classes
- The children were referred to [REDACTED]
- The parents were to complete the Ages and Stages packet
- The parents and paternal grandmother will follow up with all medical appointments
- The parents will complete [REDACTED] through Pressley Ridge
- Dauphin County Children and Youth will continue reunification services for both children

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

- Case Review held on 07/23/09.

Recommendations: Further explore obtaining toxicology reports. Caseworker is to contact Dr. [REDACTED], Coroner's Office, to obtain his opinion regarding missed visit on 06/03/09.

It was noted that prior referrals were received concerning medical neglect due to missed appointments when both children had serious medical conditions. There was no discussion as to why this family was not opened for services prior to the child's death.

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

None

**Central Region Findings:**

Deficiencies-

Regional OCYF obtained a copy of the complete family case file for review, interviewed agency staff familiar with the case and made collateral contacts to obtain information. It was determined that on the 6/3/09 referral the agency caseworker did meet the 4 hour response time by visiting the family home but the children were not present in the home. There is no record of the child or his twin sibling being seen within the 4 hour response time. On 6/4/09, the agency confirmed with [REDACTED] that there was no record of the parents rescheduling their missed appointment which was contrary to what the mother had told the caseworker on 6/03/09. There was no further contact recorded by

the agency until 6/8/09 when the child death report was assigned for investigation. The agency did not meet the internal agency risk tag requirement or Chapter 3490.232 (c) requirement to see the child immediately if it can not be determined from the report whether emergency protective custody is needed. A citation was issued as part of the annual Licensing Inspection Summary.

**Statutory and Regulatory Compliance Issues:**

- A Safety Assessment was done on 6/6/09 while the twin sibling, continued to remain at Hershey Medical Center where his medical needs were being met. The maternal grandmother agreed to be the 24 hour caregiver upon his discharge.
- Timeliness of Investigation- the agency completed their investigation in a timely manner as the agency assigned the investigation to an intake worker on 6/8/09, [REDACTED] and completed their investigation on 8/5/09.
- The caseworker interviewed the parents, Det. [REDACTED], Harrisburg Police Dept., Dr. [REDACTED] and Dr. [REDACTED] at Hershey Medical Center, [REDACTED], Coroner's Office, [REDACTED]. Attempts to speak to Dr. [REDACTED], Coroner's Office on 7/25/09 and 8/5/09 were unsuccessful.
- A Risk Assessment was completed on 6/24/09 with an Overall Severity of Moderate due parents missing medical appointments that may have prevented the death of the child, the current medical condition of the twin brother and concerns of potential missed medical appointments for the twin. The Overall risk was determined as Moderate due to the twin's current medical condition [REDACTED].
- The family was accepted for services on 6/17/09 and initial Family Service Plan was completed on 7/1/09.