

Office of Children, Youth and Families

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REPORT ON THE NEAR FATALITY OF



**DOB: 09/08/2002
Date of near death incident: 04/25/2009**

FAMILY KNOWN TO:

Dauphin County Children and Youth Agency

REPORT FINALIZED: February 2, 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 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	09/08/2002
[REDACTED]	Twin Sibling	[REDACTED]/2002
[REDACTED]	Sibling	[REDACTED]2001
[REDACTED]	Sibling	[REDACTED]/2007
Unknown	Fathers	
[REDACTED]	Mother	[REDACTED]1982
[REDACTED]	Maternal Grandmother	

Notification of Near Fatality:

On April 28, 2009 [REDACTED] received a report of a near death. The information received stated that the child was at a sleepover on 4/25/09 and after returning home complained of stomach pain. The child had a traumatic injury to the pancreas. The child said one of the children at the party hit her really hard. [REDACTED]

[REDACTED] To cause this kind of trauma it would have had to have been from a force similar to falling a great distance or a force from someone jumping on the child's abdomen. It was also reported that this was a very severe injury that was more than children being children. Mother said she tried to call the other parents but they did not respond to any of her calls. [REDACTED]

[REDACTED] The doctor certified the child to be in serious condition. The child was expected to live. [REDACTED]

[REDACTED] Referral source said the child is not near death. The incident would have happened at the home of [REDACTED]

The child complained of pain after returning from a sleepover at another child's home. Child said that while at a sleepover another child hit her really hard in the stomach. The child sustained a traumatic pancreas injury. [REDACTED]

Documentation Reviewed and Individuals Interviewed:

For this review Central Region Interviewed:

- [REDACTED], CPS Supervisor for Dauphin County Children and Youth Agency.

Central Region Reviewed:

- Dauphin County Children and Youth Service case file.
- Child's medical records from Hershey Medical Center.

Case Chronology:

Previous CY Involvement:

[REDACTED] A referral was received in February, 2003 regarding the twins, [REDACTED] and [REDACTED]. The family was accepted for service [REDACTED]

[REDACTED] Mother obtained housing and case was closed in July, 2003. No other service providers were involved with the family. The mother and children were living with [REDACTED], maternal great grandmother and [REDACTED], maternal aunt. She had moved in with these relatives when she separated from her husband. The mother moved to a new apartment [REDACTED] on 5/30/03 and had her furniture delivered from storage. [REDACTED]

- A referral was received on April 4, 2004 regarding [REDACTED] who was in the home of a cousin and received severe burns and a bite mark. The cousin stated that the child had burned himself on a lamp (later determined to be a heater) and was bitten by his three year old cousin. The mother assured Dauphin County Children and Youth Services that the children would not be allowed to go to the cousin's home. Mother continued to follow all medical recommendations and was providing proper supervision. A case was not opened for services.

Circumstances of Child's Fatality or Near Fatality:

- The child complained of pain after returning from a sleepover at another child's home. Child said that while at a sleepover another child hit her really hard in the stomach. The child sustained a traumatic pancreas injury. [REDACTED] as there were no concerns with her ability or capacity to protect the child. There were no named perpetrator(s) because it could not be determined who caused the injuries. A Safety Assessment was completed on 4/29/09. The caseworker met with the child, mother and grandmother and determined the child was

safe. A Safety Plan was developed on 5/4/09 with all family members present. The mother agreed to supervise the children at all times and continue to follow through with [REDACTED] medical appointments and doctor recommendations.

Current/Most Recent Status of Case:

- On June 26, 2009 Dauphin County Children and Youth Services [REDACTED] [REDACTED] could be identified. The child provided consistent statements that she was hit by another child while at a sleepover. [REDACTED], also verified that the child was hit by another child's hand in the tummy at the sleepover. [REDACTED] [REDACTED] verified that the injury and explanation provided by the child is plausible and the injury could have been sustained from a blow to the abdomen. [REDACTED]
[REDACTED]
- [REDACTED] There was no identified neglect or endangerment concerns.
- Sibling, [REDACTED] was interviewed on 5/4/09. She related that a little girl came to the [REDACTED] house where the sleepover was held. They were playing tag outside. She said that the girl hit [REDACTED] with her hand in the tummy. [REDACTED] said neither she nor [REDACTED] told the [REDACTED] about the incident.
- [REDACTED] was interviewed on 6/25/09. Previous attempts to interview her failed as the child is shy and would not talk with the caseworker. During this in home interview, in the presence of the child's mother, the child was able to relate that she was hit by another child at the sleepover and that her sister, [REDACTED], was also present at the sleepover and saw the other little girl hit her.
- The agency did not accept the family for services, as no service needs were identified.
- The child remained in the home of her mother. The Maternal Grandmother resides in the home and assists with the children's care.
- Detective [REDACTED] of the Harrisburg Police investigated the incident. No charges were filed.

Services to Children and Families:

Dauphin County Children & Youth Agency
Hershey Medical Center
Harrisburg Police Department

Medical Services
Investigation Services
In-home Services (2003)

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

Strengths – The agency interviewed family members, medical personnel and police. The agency obtained appropriate medical records.

Deficiencies – [REDACTED], where the sleepover was held, were not interviewed about the incident. There is no information on the children's fathers in the case file nor was there any documentation to show efforts made to involve him in services for the children. On 5/1/09 a telephone call was made to the [REDACTED] but the caseworker was unable to leave a message. On 5/19/09 a telephone call was made to the [REDACTED] and the caseworker left a message for a return call. On 6/23/09 the caseworker attempted to telephone the [REDACTED] but the telephone was disconnected. On 6/25/09 the caseworker obtained the [REDACTED] address and on 6/25/09 visited the home, but no one answered the door. The caseworker did not leave a business card as she did not have one with her. There is no documentation that a letter was sent to the [REDACTED] residence.

Recommendations for changes at the Local Levels (County or State) as identified by Fatality Report:

None

Central Region Findings:

Statutory and Regulatory Compliance Issues:

- A Safety Assessment was completed on 4/29/09. The caseworker met with the child in the hospital, spoke with the mother and grandmother, and determined that the child was safe. The Safety Plan was completed on 5/4/09 with all family members present. The mother agreed to supervise the children at all times, agreed to meet the children's basic needs and that she would continue to follow through with [REDACTED] medical appointments and doctor recommendations.

- Timeliness of investigation – The agency completed their investigation in a timely manner as the agency received the [REDACTED] referral on April 28, 2009 and completed the investigation on June 26, 2009.
 - The caseworker interviewed the child, her sisters, mother, grandmother, [REDACTED]. The caseworker did not interview the [REDACTED], where the incident occurred. The caseworker had their address and telephone number but the [REDACTED] were unresponsive to her attempts to contact them and those attempts were noted in the record. Placed in Deficiencies.—contact attempts.
 - A Risk Assessment was completed on 6/26/09 with Overall Severity as High due to the child suffering a near fatal injury as she sustained a completed pancreatic transaction with left pleural effusion. [REDACTED]. The Overall Risk was determined as Low because the child's mother ensured that the child attended all medical appointments and was following all doctor recommendations.
 - The family was not Accepted for Service as no ongoing services were necessary. The case was closed on 7/6/09.
- [REDACTED]