

Office of Children, Youth and Families

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REPORT ON THE NEAR FATALITY OF



DOB: 05/12/2005

FAMILY KNOWN TO:

Dauphin County Children and Youth Agency

REPORT DATE: January 22, 2010
REPORT FINALIZED: February 5, 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. 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.

1. Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	05/12/2005
[REDACTED]	Sibling	[REDACTED] 2004
[REDACTED]	Father	[REDACTED] 1981
[REDACTED]	Mother	[REDACTED] 1984

Notification of Near Fatality:

- [REDACTED] The information received stated that the child's father left six shots of vodka in an open bottle in the refrigerator. When father came out of the bathroom he found the bottle was empty. Child was laughing and stumbling, then became unconscious. The child was taken to the Harrisburg Hospital Emergency Room where he was certified as being in critical condition and life-lined to Hershey Medical Center. The child was placed on a ventilator and remained unconscious for twenty-four hours due to a blood alcohol level of 0.36.
- After the father failed a polygraph examination, he admitted to have been sipping vodka out of the bottle prior to the child's ingesting it. He admitted to leaving a bottle of vodka, with approximately six shots remaining in the bottle, on the entertainment center. The father says he was in the bathroom for five or ten minutes when he heard the bottle fall. The father entered the living room, saw the bottle empty, [REDACTED] laughing and stumbling and then becoming unconscious. The father telephoned the mother on her cell phone at a local grocery store. The mother came home, telephoned 911 and the child was rushed to the Harrisburg Hospital.

[REDACTED]

2. Documentation Reviewed and Individuals Interviewed:

For this review Central Region Interviewed:

- [REDACTED], [REDACTED] Supervisor for Dauphin County Children and Youth Services
- [REDACTED], Caseworker for Dauphin County Children and Youth Services
- [REDACTED]; Director of Social Services, Dauphin County Children and Youth Services.

Central Region Reviewed:

- The [REDACTED] family case file
- Medical Report of 02/23/2009 – [REDACTED] Pinnacle Health Hospitals and medical reports from Hershey Medical Center.

Case Chronology:

Previous CY Involvement:

- A referral was received by the agency on 05/15/2004 regarding the mother, being eight months pregnant, a crack addict and on probation. Caseworker referred the referral source to Mothers Assistance Program and Adult Probation since the mother was currently active with both services. No further agency involvement.
- Another referral was received on 08/12/2004 regarding the mother and her two month old child. The mother was seen yelling and shaking the car seat with the baby in it when the baby would not stop crying. [REDACTED] The home was observed to be appropriate with no safety concerns. The case was closed. No other services providers were identified.
- Another referral was received on 02/02/2005 from [REDACTED], regarding the mother and her nine month old son. Reportedly the parents were neglecting the child with no heat or hot water in the home. Trash all over the house, dirty diapers in the yard, child taken out in the middle of the night with no clothes on. There is no documented follow-up to this referral. On 02/05/2010 the agency related by email that "there is no follow-up documentation regarding the referral therefore they cannot report the outcome of the referral."
- Another referral was received on 01/22/2009 from [REDACTED], concerning physical injuries with bruises on [REDACTED]. Father allegedly slapped the back of the child's hand causing bruises. The child was seen by a medical doctor and it was determined the child did not have a serious injury. [REDACTED]
- After that closing the family did not come to the attention of Dauphin County Children and Youth until 02/23/2009.

Circumstances of Child's Near Fatality:

- The child's father admitted to sipping vodka from a bottle while supervising the child. He left the bottle, with approximately six shots remaining, on the entertainment center while he went into the bathroom for five to ten minutes. When he heard the bottle drop he came into the living room and found the bottle empty and the child laughing and stumbling. The child soon became unconscious. The father telephoned the mother who was at [REDACTED]. She came home, called 911 and the child was rushed to Harrisburg Hospital. The child's condition was certified as critical and he was life-lined to Hershey Medical Center where he was unconscious and continued on a ventilator for twenty-four hours due to a blood alcohol level of 0.36. There were no other injuries or damage to the child. On 2/25/2009 the child was released from Hershey Medical Center and returned to his mother. The father remained out of the home until a juvenile court hearing after which he was allowed to return home but could not be left unsupervised with the children.

Current/Most Recent Status of Case:

- [REDACTED]
Due to the ingestion of alcohol, the child became unconscious, placed on a ventilator for twenty-four hours with a blood alcohol level of 0.36. Dr. [REDACTED] from Hershey Medical Center, stated that the child probably ingested one to two shots of alcohol. The child was hospitalized from 02/23/2009 to 02/25/2009. Both children remained in the home under a safety plan that did not allow the father to be alone with the children.
- A criminal investigation was conducted by Trooper [REDACTED] of the Pennsylvania State Police. No charges were brought against the father.
- Dauphin County Children and Youth Service accepted the [REDACTED] family for services on 03/19/2009 and a Family Service Plan was completed on 04/08/2009. The family was to receive court ordered services to include Family Preservation; [REDACTED] for the father and [REDACTED] for the mother. The family sees this incident as an accident. According to the agency the family minimally completed all the objectives on the Family Service Plan. However the family was not following through fully with what was being required of them to have their case closed, so the family was accepted for service. The Family Service Plan Review on 08/19/2009 showed the family did cooperate and complete Family Preservation Services on 08/04/2009. [REDACTED]
[REDACTED]

[REDACTED] Both parents assured [REDACTED] and [REDACTED] attended pre school at Head Start.

- In August, 2009 the family relocated to Schuylkill County. The case was transferred to Schuylkill County Children and Youth Services. A review of the Permanency Review court order dated 08/04/2009 showed that the child was released from under the Court Ordered Protective Supervision of Dauphin County Children and Youth Services and remained in the legal and physical care and custody of his parents. The court transferred jurisdiction to Schuylkill County Children and Youth Services.

Services to Children and Families:

Dauphin County Children & Youth Agency	Protective Services
Harrisburg Hospital	Medical Services
Hershey Medical Center	Medical Services
Capital Area [REDACTED] Program	Educational Services for both children.
Keystone Children & Family Services	Family Preservation Services
New Digs	Housing Services

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

Strengths – The County arranged for court ordered Family Preservation services, [REDACTED] and when the family relocated to Schuylkill County referred the family to Schuylkill County Children and Youth Services.

Deficiencies – The County had no documentation of a response to the 02/02/2005 referral alleging neglect of the child and no explanation as to why there was no documentation of the outcome to the referral.

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

Both DPW and the Commonwealth of Pennsylvania acknowledge the need to educate the general public about the effects on children of ingesting alcoholic beverages.

Central Region Findings:

Statutory and Regulatory Compliance Issues:

- Safety Assessment and Plan – Completed on 02/24/2009 which involved the parents and both children. The children's mother would assure their safety and the father would have no unsupervised contact with the children and have no alcoholic beverages in the home.
Safety Assessment and Plan – Revised on 03/18/2009 as the father failed the polygraph test and admitted he lied about how the child obtained the alcohol. The father would continue to have supervised contact with the children.
- Timeliness of investigation – [REDACTED] Agency staff conducted their investigation collaboratively with law enforcement.
- People interviewed: The children were not interviewed due to their age. The parents, relatives, friends, teacher and medical personnel were interviewed by agency staff.
- A Risk Assessment was completed on 03/18/2009 with an overall severity of High and an overall Risk of Moderate.
- The agency accepted the family for service on 03/19/2009 and a Family Service Plan was completed on 04/08/2009. Both parents signed and participated in the development of the Plan. The parents were to insure that there would be no alcohol in the house; Cleaning supplies and other toxic chemicals are locked in a secure container; Cooperate and successfully complete Family Preservation services; [REDACTED] and follow all recommendations; Participate in random drug screenings; Assure the children attend preschool; Assure the children's medical needs are met and the father was to [REDACTED] and follow all recommendation.
A review of the Family Service Plan held on 08/19/2009 showed no evidence of alcohol in the house, cleaning supplies were secured, the family participated in Family Preservation services, the father's [REDACTED] was completed, and the parent's participated in random drug screens. The children were attending pre-school as scheduled.
- As the children attended Head Start pre-school they received early intervention services. These services identified [REDACTED] with areas of delay in demonstrating cognitive, personal-social, communication and perceptual motor delays. [REDACTED] was to continue in the Head Start pre-school program. The parents were involved in the planning for [REDACTED] services.