

Office of Children, Youth and Families

Gabrielle Williams
Director
Central Region

1401 N. 7th St., 4th floor
Bertolino Bld.
Harrisburg, Pennsylvania, 17105

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

REPORT ON THE NEAR DEATH OF



DOB: 11/08/2008

FAMILY KNOWN TO:

Family was not known to Dauphin County Social Services for Children and Youth

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. 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	11/08/2008
[REDACTED]	Sibling	[REDACTED] 2007
[REDACTED]	Father – whereabouts	[REDACTED] 1984
[REDACTED]	Unknown	
[REDACTED]	Mother	[REDACTED] 1987

Relatives:

[REDACTED]	Maternal Grandmother
[REDACTED]	Cousin
[REDACTED]	Paternal Grandmother

Notification of Near Fatality:

On May 3, 2009 [REDACTED]

The information received showed the mother related the child fell out of his swing before she brought him to the Emergency Room at Harrisburg Hospital. The child was transferred to Hershey Medical Center with his mother in the ambulance. The reported allegations stated that the child had multiple areas on his face of swelling and bruising. His left eye is swollen and cannot be opened. His right eye is minimally swollen and he could open it. His left cheek area is swollen and bruising. His upper lip is swollen with lacerations. The child has a small cut and laceration on his forehead but his whole face appears to be bruised and purplish. No other injuries were noted on the child's neck or chest. Child has a mark on his sacrum that mother said is a birth mark. [REDACTED]

[REDACTED] The report stated the child has an [REDACTED]
 Mother said the child fell out of a child swing – 1 foot off the ground onto concrete. Mechanism is questionable in regards to the injuries. The child also had a bloody nose.

- [REDACTED] The report stated that the victim child allegedly fell out of a swing but there is question as to the validity of this story. The mother kept changing her story with the nurse. [REDACTED]

As per the referral source, the doctor would certify the child's condition as serious. The child was expected to live. The child was admitted to [REDACTED] Hershey Medical Center. The mother said she has a witness to baby allegedly falling out of the swing.
- The child was initially hospitalized and was going to be released to the home of his maternal grandmother, [REDACTED], during the investigation period. However, the agency would not allow this move because [REDACTED] had previously pled guilty to a child endangering charge. A cousin, [REDACTED] took the child during the investigation period. The child's two year old sibling went to stay with a paternal grandmother, [REDACTED]. The child's father has had no recent contact with the family and his whereabouts are unknown.
- [REDACTED] was in the home on 05/03/2009 helping the mother clean. She said that the mother went into the bathroom, [REDACTED] was sweeping and heard the baby crying in another room. She went in and the baby had fallen out of the swing and they took him to the Harrisburg Hospital.
- [REDACTED] said there was an overreaction with regard to this child. There is low suspicion for the mother's story not matching the injuries. [REDACTED] told the caseworker that the child injuries are compatible with a fall from the low swing to a cement floor. He stated there was no skull fracture and that the original impressions [REDACTED] were wrong. [REDACTED] stated he does not feel that the child's injuries were the result of abuse.

2. Documentation Reviewed and Individuals Interviewed:

For this review Central Region Interviewed:

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

Central Region Reviewed:

- The Dauphin County Social Services for Children and Youth case record.
- Harrisburg Police Detective [REDACTED] interview statements from mother and [REDACTED].
- Medical Records from Harrisburg Hospital and Hershey Medical Center for [REDACTED].
- Medical Records from Harrisburg Hospital for [REDACTED].
- National Center For Child Death Review – 06/29/2009.

Case Chronology:

Previous CY Involvement:

- The family was not previously known to Dauphin County Social Services for Children and Youth

Circumstances of Child's Near Fatality:

- [REDACTED] The child suffered superficial bruising to the face as a result of falling out of a swing on to the concrete floor beneath the swing. [REDACTED]
[REDACTED] Law enforcement conducted an investigation and no charges will be filed. The child did not suffer any serious life threatening injuries as a result of this accident. The mother states that the child fell from the swing and she has since been educated on swing safety. [REDACTED].

Current/Most Recent Status of Case:

- [REDACTED] the child's injuries were superficial and could have occurred from the child falling from a swing.
- The agency did not accept this family for services as no service needs were identified.
- The child, when released from Hershey Medical Center went to a cousin's home. His sibling went to the maternal grandmother's home. At the conclusion of the investigation the children returned to their own home. The maternal grandmother provides support to the family.
- Detective [REDACTED], of the Harrisburg Police Department, investigated this incident along with Children and Youth staff. No charges were filed against the mother.
- On 05/29/2009 [REDACTED] related that [REDACTED] was seen for his follow up appointment and is doing well.
- On 06/02/2009 [REDACTED] was return to his mother's home with a safety plan in place which required the mother to provide appropriate supervision at all times for the child, ensure the child is properly secured in equipment, follow up with medical appointments and recommendations and protect the child from

child abuse and neglect. The agency caseworker made announced and unannounced visits to the home, completed written safety assessments to determine the family was following the safety plan.

- [REDACTED] was seen at Harrisburg Hospital on 02/22/2009 as she fell and hit her head on the corner of a wall. She had a 1 cm laceration of the right upper forehead. She had no loss of consciousness, no vision or hearing problems. Her shots were up to date. On 10/21/2007 [REDACTED] was seen at the Harrisburg Hospital for a finger laceration. [REDACTED] stated the child had just begun crawling throughout the house and she caught her finger on something on the floor. Three simple interrupted sutures were applied to her finger and she was discharged home.

Services to Children and Families:

Dauphin County Social Services for Children and Youth	Protective Services
Hershey Medical Center	Medical Services
Harrisburg Hospital	Medical Services
Harrisburg Police Department	Investigational Services

The family is not involved with any social service providers.

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

Strengths – The agency promptly responded to the referral, assured the safety of the children and collaboratively interviewed the interested parties with law enforcement. The agency thoroughly reviewed all potential caretakers for the children during the investigation period. Agency staff educated the mother on the importance of always strapping the child into a swing.

Deficiencies – None identified.

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

None identified.

Central Region Findings:

Statutory and Regulatory Compliance Issues-Strengths:

- A Safety Plan was put into place on May 4, 2009 for both children and safety assessments were made with each required contact. Arrangements were made with relatives to care for the children during the investigation period. Safety Plans were developed with these relatives

which included the caregivers providing for the children's basic needs (food, shelter, clothing and medical), ensure the child is free from child abuse and neglect, cooperating with the agency, ensuring the mother has supervised visits and supervise the child at all times. A Safety Plan was developed on June 2, 2009 with the child's mother, [REDACTED], which required her to provide appropriate supervision at all times for the child and ensure the child is properly secured in equipment. Mother will follow up with all medical appointments and recommendations and protect the child from child abuse and neglect.

- Timeliness of investigation – The agency completed their investigation in a timely manner as the agency received the [REDACTED] referral on May 3, 2009 and completed the investigation on June 29, 2009. The agency was not able to complete the investigation within 30 days as they were awaiting medical and police reports.

People who had knowledge of the child's injuries and medical care were interviewed. [REDACTED]

- A Risk Assessment was completed on 06/29/2009. with overall severity of moderate and overall risk of low. The overall severity is moderate due to the age of the child and the child having soft tissue damage but not a serious injury. The overall risk is low as the child was not strapped into the swing when he fell. The floor in the home is hard concrete so when the child's head hit the floor he received bruising to the face. The mother immediately took the child for medical care following the incident.
- Multi-Disciplinary Team (MDT) Profile Sheet was presented to the MDT on 06/25/2009.
- The family was not accepted for service.
- No social service providers were involved with this family.
- Detective [REDACTED] of the Harrisburg Police Department, did not feel the need to file any charges against the mother.