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REPORT ON THE Near Fatality OF:

████████████████████

BORN: 11-3-09

Date of Near Death Incident: 10-18-10

**The Family Was Not Known To
Allegheny County Children Youth and Family Services**

REPORT FINALIZED ON: May 25, 2011

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

Family Constellation:**Name:****Relationship:****Date of Birth:**

[REDACTED]

subject child
sibling
sibling
Father
Mother

11-3-09
[REDACTED]-06
[REDACTED]-08
[REDACTED]-71
[REDACTED]-82

The mother is 28 yrs. old and was born in Michigan. She reported having three older children who reside with their father and paternal grandmother in Michigan. The father, age 38, is her boyfriend of eight years. The mother also reported having previously lived in Louisiana, Florida, Tennessee, Maryland, and Michigan. The father was born in Massachusetts. He reported that he met the mother in Monroe County, Michigan. The father's employer is a pavement company, and father is assigned work in different areas in different states. Per the father's interview with Law Enforcement, the father's employer covers/helps with the rent or motel costs. The children receive care at urgent care centers in different states. The family does not have a primary care physician. On the date of incident the family was residing in a Pittsburgh area chain motel along with their dog.

Notification of Child Near Fatality:

The 11 month-old was transported to [REDACTED] from [REDACTED]. The date of incident was 10-17-10 and the date of [REDACTED] report to Allegheny County Children Youth and family Services was 10-18-10. [REDACTED] reported that [REDACTED] the mother, presented her 11 month old male child to the ER at [REDACTED]

[REDACTED]. A CT scan revealed [REDACTED] causing severe pain and impairment of functioning inconsistent with the mother's explanation of the child's fall backwards from a bed onto the floor of the motel room. The child was admitted to [REDACTED] and certified to be in critical condition.

Summary of DPW Child (Near) Fatality Review Activities:

The Department obtained and reviewed the intake record provided by Allegheny County Children Youth and Family Services. Follow-up contacts were made with the caseworkers, [REDACTED] on 4-20-11, and with [REDACTED], and supervisor, [REDACTED] on 4-19-11, 11-2-10 and 10 25-10. The Department also participated in the County Internal Fatality Review Team meeting on 11/18/10. Allegheny County, Children's Hospital of Pittsburgh and Allegheny County Law Enforcement activities were presented.

Summary of Services to Family:

The children have received developmental and medical screens and recommended follow-up medical appointments have occurred. The children attend [REDACTED] and [REDACTED] [REDACTED] program is involved with the victim child for [REDACTED] services. The parents have supervised visits with their children twice a week at the foster care agency. These visits occur on Wednesdays and Saturdays. The permanency goal is reunification. There has been moderate compliance with the permanency plan by both parents' completion of parenting programs. The mother has 5 weeks of a 12 week program remaining per the [REDACTED] program at which end the father is to begin 12 weeks of classes. Additionally the supervised visits have revealed the parents' need to be prompted relative to age appropriate responses/interventions during those interactions with the children. The need to refer the father to an [REDACTED] program was also revealed.

Children and Youth Involvement prior to Incident:

Prior to the incident this family was not known to CYS. Allegheny County CYF requested information from Monroe County, Michigan Dept. of Human Services to which the verbal response was general because a definitive match was not made. Allegheny County CYF's Family Service Plan Review request for the parents to obtain Federal Bureau of Investigation (FBI) clearances remains outstanding to date.

Circumstances of Child (Near) Fatality and Related Case Activity:

- The parents are from Monroe County, Michigan and were residing at a [REDACTED] PA for the past 3 months prior to the date of incident.
- The Allegheny County CYF investigation revealed per the interview with the mother on 10-18-10, and interview with the father on 10-19-10, that the children were under the mother's supervision while the father worked.
- The parents awakened the morning of the incident and the father went to get breakfast for the family.
- The children sat on the bed watching a movie.
- Mother walked a few feet away with children in her view, turned her back to put on her pants. She stated that she heard the victim child scream and she immediately ran over and picked him up from the floor. She described that the child's body went limp. Child did not lose consciousness, although he did vomit once in transport to the hospital.
- The mother stated that she panicked, made her way to the door as the father was coming in, grabbed the keys, walked past the father, and headed to the hospital with the victim child.
- Mother drove to [REDACTED] (an approximate 5 minute drive from the motel), and was told that they did not have facilities to treat the child.
- By ambulance, the mother and victim child were transported to [REDACTED] for further evaluation and care.
- The father stated that as he was entering the room, he observed the victim child fall off the bed and child hitting the floor. The father reported that he had 2 bags in his hand and could not break the child's fall.
- Both parents rushed to the child's side, the mother picked him up and child's body went limp.
- The father stated to the caseworker that he told the mother to take the child to the hospital and he would stay with the girls. Father also described that the floor in the motel room was thin carpet over concrete.
- On 10-19-10 emergency authorizations were issued for the siblings, [REDACTED] and [REDACTED], as CYF could not assure their safety with the parents because of the unknown circumstances surrounding the victim child's significant injury, and the discrepancies between the parents' statements which were not consistent with the child's injury.
- Parents refused to sign a safety plan or complete criminal clearances without their attorney present.
- 2 attempts were made for a forensic interview at [REDACTED], the oldest sibling, that were twice unsuccessful because the child was unwilling to part from her father. The physical exams of both girls gave clean bills of health.
- Allegheny County intake transferred the case to Family Services on 10-20-10 and the shelter hearing was 10-26-10.

- On 10-26-10 the agency sent release of information requests to [REDACTED] for the victim child's medical records and contacted Monroe County, Michigan Department of Human Services for information of possible involvement.
- The [REDACTED] determination, [REDACTED] was submitted as [REDACTED] on 12-13-10, identifying [REDACTED].
- The older two siblings were taken into protective custody on 10-22-10 and placed in foster care. The victim child was placed in same foster home as his sisters upon discharge from [REDACTED] on 10-23-10.
- On 10-28-10 the agency filed a petition for dependency.
- On 11-11-10 the dependency petition hearing was scheduled, but continued to 12-13-10 at which time an order of adjudication of dependency was made for all three children and it was determined that the victim child was a victim [REDACTED].

Current Case Status:

- The criminal case remains pending. No arrests have been made and no charges have been filed to date.
- Both parents work and are no longer living in a motel. They have rented a house in Allegheny County since stable housing was established as a goal on the Family Service Plan.
- The three children are placed together in foster care and the parents' visits are supervised. Visits are twice a week. The goal continues to be reunification. The parents have attended all of the visits.
- The most current permanency review hearing was March 18, 2011, and the children remain in foster care.
- The subject child and siblings are doing well. The victim child has taken first steps and is walking.

County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child (Near) Fatality Report:

- Strengths:

The completion of the Safety Assessment, Risk Assessment, Family Service Plan, FSPR, Child Permanency Plan, case acceptance and transfer to family services, and Court presentations were comprehensive and all completed within the regulatory time-frames.

- Deficiencies:

None identified.

- Recommendations for Change at the Local Level:

No recommendations for change were made resulting from the county review.

- Recommendations for Change at the State Level:
None

Department Review of County Internal Report:

The Department is in agreement with the findings of the county's report.

Department of Public Welfare Findings:

- County Strengths:
 1. The County completed the [REDACTED] investigation within the regulatory time frames and the investigation was thorough and well-documented.
 2. The Safety Assessment, Safety Plan and the Risk Assessment for the children was completed within the necessary time-frames and the findings were well documented.
 3. The county collaborated with Law Enforcement and [REDACTED] physicians as part of the investigation.
 4. The agency made an effort to successfully place the siblings in the same foster home.

- County Weaknesses:
None noted

- Statutory and Regulatory Areas of Non-Compliance:
No Areas of Non-Compliance were found.

Department of Public Welfare Recommendations:

The Department concludes that Allegheny County Children Youth and Family Services followed appropriate protocols regarding their policies and procedures as well as the regulatory and best practice issues in regards to the investigation of this referral.