



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON NEAR FATALITY OF:



Date of Birth: September 11, 2012

Date of Incident: July 13, 2013

Date of Oral Report: July 13, 2013

FAMILY NOT KNOWN TO:

Lehigh County Children and Youth

REPORT FINALIZED ON:

12/30/13

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. Lehigh County Children and Youth has not convened a review team in accordance with Act 33 of 2008 related to this report. There was no need to convene an Act 33 Review as the county agency completed the Child Protective Services investigation within a thirty day frame.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Child/Victim	09.11.12
[REDACTED]	Sibling of Child/Victim	[REDACTED].05
[REDACTED]	Mother of Child/Victim	[REDACTED].88
[REDACTED]	Father of Child/Victim	[REDACTED].83

Notification of Child Near Fatality:

An oral report of suspected physical abuse was made to Lehigh County Children and Youth Services on July 13, 2013 by [REDACTED]. The county agency was contacted following an incident that occurred at the home of the Child/Victim's biological parents on July 13, 2013. The Child/Victim was treated for a [REDACTED] at the Lehigh Valley Hospital on July 13, 2013.

Both biological parents were named as alleged perpetrators of physical abuse as the presenting injuries did not appear to comport with the parents' explanation of the nature and origin of the injuries.

Lehigh County Children and Youth Services commenced a Child Protective Services investigation on July 13, 2013.

Summary of DPW Child Near Fatality Review:

The Department of Public Welfare, Northeast Regional Office of Children, Youth and Families initiated a review of the Near Fatality on July 15, 2013 by means of a collateral case review of

the incident with the CPS intake supervisor at Lehigh County Children and Youth Services. Preliminary results of investigation were discussed as well as current safety plan implemented for Child/Victim and sibling of Child/Victim.

A representative from the Northeast Regional Office of Children, Youth and Families attended and participated in the multi-disciplinary team (MDT) staffing at Lehigh County Children and Youth on July 17, 2013 where the status of the case was reviewed with assigned caseworker and supervisory personnel. Participation at this time also included representatives from the law enforcement community and the CAC in Lehigh County. [REDACTED] related to Child/Victim's injuries were also made available and [REDACTED] at this time.

On July 30, 2013 a representative from the Northeast Regional Office of Children, Youth and Families conducted a site record review and collateral interview with the Lehigh County Children and Youth supervisor assigned to the Near Fatality case. Status of investigation and copies of all relevant case files/clinical notes were reviewed at this time.

Children and Youth Involvement prior to Incident:

Lehigh County Children and Youth has no record of service activity to this family.

Circumstances of Child Near Fatality and Related Case Activity:

Summary of Services to Family

Commencing with the initial reception of the Child Protective Services report on July 13, 2013 Lehigh County Children and Youth conducted a series of in home contacts at the home of the AP's and the paternal grandfather to determine the safety of the sibling of the Child/Victim and the Child/Victim. The assigned caseworker also conducted multiple collateral contacts with the [REDACTED]

Case record review also determined that the county agency had consistent and extensive contact with the various individuals associated with the assessment/evaluation of the Child/Victim's biological parents. Lehigh County Children and Youth assessed the family with the assistance of a multiple casework team and determined that the [REDACTED] injuries was accidental in nature.

Collaborative review and investigation of the case was conducted through the agency's close working relationship with the Lehigh County District Attorney's Office. There is also evidence that the casework investigative process was closely monitored and documented by supervisory personnel at Lehigh County Children and Youth. Case file documentation supports these efforts.

Lehigh County Children and Youth evaluated the totality of the family situation and determined that there were no safety issues related either to Child/Victim or sibling of Child/Victim. The rationale for this determination was clearly documented in the case file as well.

Children and Youth Involvement prior to Incident:

On July 13, 2013 Lehigh County Children and Youth received a report of suspected physical abuse to [REDACTED] as the Child was evaluated at the Lehigh Valley Hospital for [REDACTED]. The information provided by parents upon admission to [REDACTED] was deemed to be inconsistent with the injuries, and the case was determined to be a Near Fatality [REDACTED]. Initially, [REDACTED] information from the parents that was minimal in nature. The information provided by the parents at this time was conveyed when they were extremely upset and distraught over the incident.

Following an extensive CPS investigation drawing upon multiple [REDACTED] and review by Pennsylvania State Police; the case was determined to be of an accidental nature and assigned an Unfounded Status on August 2, 2013.

Current Case Status:

Lehigh County Children and Youth Services completed the Child Protective Services investigation relating to the physical abuse allegations on August 2, 2013. The status was determined to be Unfounded as the injuries were sustained by means of an accidental fall while being cared for by the Child/Victim's mother. Information provided by the biological mother indicated that she slipped on the steps while descending from the second floor of the family residence. [REDACTED] physician did not believe that the injury was consistent with the explanation.

Following the conclusion of the Child Protective Services investigation, an evaluation was completed to determine if the Child/Victim was in need of [REDACTED] by the county service provider. After consultation with the Child/Victim's [REDACTED], a determination was made that Child/Victim was not in need of any services. Subsequently, Lehigh County Children and Youth closed its case file on the family with no additional services required.

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

Lehigh County Children and Youth Services did not convene an Act 33 Review on this case as there was no statutory necessity to do so. [REDACTED]

The Department of Public Welfare, Northeast Regional Office of Children, Youth and Families review of this case found that the county agency followed all established casework practices relating to timely and thorough assessment of child abuse allegations as well as [REDACTED].

The Child Protective Services case file was reviewed for compliance with all applicable Department of Public Welfare regulations and provisions of the CPSL.

Department Review of County Internal Report:

N/A

The county agency was not required to complete an internal report as per Act 33.

Department of Public Welfare Findings:

The Department of Public Welfare, Office of Children, Youth and Families evidenced a timely and thorough child abuse investigation in the instant case. All documentation was accurate and consistent with Department of Public Welfare Regulations. The investigation also revealed a methodic and appropriate use of collateral professional resources. This was especially evident in the county agency's relationship with the medical facility attending to the Child/Victim and the [REDACTED] that consulted on the abuse investigation for Lehigh County.

The current case review protocol and process as demonstrated in the MDT that a representative from the OCYF/NERO participated in on July 17, 2013 was found to be methodic and 'state of the art'. There was ample opportunity for discussion among attendees as well as opportunities for all involved personnel to secure information/training in various aspects of the interpretation of [REDACTED].

OCYF/NERO determined that there were no regulatory violations associated with this case.

Department of Public Welfare Recommendations:

OCYF/NERO recommends that Lehigh County Children and Youth Services continue to utilize the current MDT process/format in reviewing active Child Protective Services investigations. Consideration should also be given to including this operating model in planning for the collaborative multi-county CAC currently being planned.