



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 12/5/10
Date of Incident: 11/5/13
Date of Oral Report: 11/5/13

FAMILY KNOWN TO:

Berks County Children & Youth Services

REPORT FINALIZED ON:

October 3, 2014

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(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. The County convened a review team in accordance with Act 33 of 2008 related to this report on December 3, 2013.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	12/5/10
[REDACTED]	Sibling	[REDACTED]/09
[REDACTED]	Sibling	[REDACTED]/12
[REDACTED]	Sibling	[REDACTED]13
* [REDACTED]	Home Owner	
[REDACTED]	Mother	[REDACTED]/86
* [REDACTED]	Half Sibling	[REDACTED]/08
* PGM picked [REDACTED] up on 10/2/13 after a GPS report was called in [REDACTED] that mother and her five children were evicted [REDACTED].		
* [REDACTED]	Half Sibling	[REDACTED]/05
* [REDACTED]	Half Sibling	[REDACTED]/03
*Both children are residing in Florida with the father, [REDACTED].		

Notification of Child Near Fatality:

VC ingested open bottle of [REDACTED] medication belonging to another child residing in the home. The VC was unresponsive when the EMS arrived. The VC was transported to the Reading Hospital where the child was [REDACTED] and later transported to Hershey Medical Center. The VC was admitted [REDACTED] for respiratory failure due to accidental drug ingestion. The VC was unsupervised when he ingested the medication.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office reviewed the medical records, county investigation records, file records, Act 33 records, and safety plan and interviewed the county caseworker, [REDACTED].

Children and Youth Involvement prior to Incident:

5/25/08 GPS this family became known to Berks county children and youth when the county received a medical neglect report on a sibling who was 3 months old at the time and had missed medical appointments. The county worker could not locate mother because she moved around. The case was not opened for services.

10/16/08 GPS report was received on the same child with the same allegations. The mother could not be located. [REDACTED] the county worker was finally able to catch up with mother and develop a family service plan. [REDACTED] on October 16, 2008. The mother had three children but had only one child with her. The two other siblings were residing with their father in Florida. It is unknown when they were placed with the father. The mother had a fourth child before the case closed in July, 2009.

3/12/12 GPS report that a sibling had missed 4 medical appointments and child immunizations. His last visit was in 2010. The case was reopened on March 27, 2012. At that time, the mother had two other children. The mother was residing with her aunt. That living arrangement lasted one week. The mother then moved [REDACTED] with her children. On May 8, 2012, the mother [REDACTED] and went to reside with another relative. The case was not opened for services.

4/9/13 GPS report from Reading hospital that mother delivered a child on April 9, 2013. The mother did not get prenatal care for this child or the previous child. The mother left the hospital because mother's babysitter had to leave. The child was still in the hospital and [REDACTED] the following day. The mother tested positive for opiates at child's delivery. The case was not opened for services.

5/1/13 GPS report that mother missed two well-baby appointments for the newborn. The case was not opened for services.

10/2/13 GPS [REDACTED] reported that mother and 5 young children were being evicted from the apartment today [REDACTED]. The mother did not have anywhere to go with the children. The father of the youngest child was incarcerated recently. RS wanted children and youth to be aware of the situation because of young children. The report stated that mother was currently on the sidewalk with her children all under the age of 5. The mother was told to go to a shelter with the children. The PGM was called and she took one of the siblings. The mother went to live with another relative. The case was not opened for services.

10/9/13 GPS [REDACTED] reported that a 2 year old child, the victim child in this case, was walking with his pants down covered with feces, holding a clean diaper and trying to cross North 5th Street in Reading. A passerby and her son stopped the car when they

saw the child attempting to cross the street and grabbed him. They saw the [REDACTED] and went there to see what could be done with the child. The child then pointed to the door that he came out of. The police were called. When they arrived, they knocked on the door which was partially opened, and walked in. The apartment was filthy and soiled diapers were all over. The county notes stated that "a disheveled looking woman came out of one of the bedrooms and appeared on drugs". The female stated that she just met the mother who is homeless and has seven children. She stated that the children are scattered with various people and she was just helping her out with this child. The police left the child with the caretaker. When the county worker went to the home, the occupant said the mother had taken the child. The worker went to several former addresses and could not locate the mother. The worker closed the case October 30, 2013.

On November 7, 2013, after the near fatality report, the county worker got a chance to talk with mother concerning this previous report. The mother told the worker that she has been having a hard time since the father of her last child went to prison for drugs. She stated that she has been homeless, had been evicted from the last apartment and had been squatting at that address.

The mother has chronic issues of homelessness since October, 2008. She has been put out of numerous apartments [REDACTED]. She has resided with numerous family members and friends and has not maintained housing for her five children. She has a history of drug abuse. When this incident occurred, the mother and the children had just moved in with a friend one day prior. There were 11 people residing in the home where the near fatality incident occurred.

Circumstances of Child Near Fatality and Related Case Activity:

The incident took place on November 5, 2013 at [REDACTED], at the home of mother's friend. The mother and her children had been staying there for approximately a day and a half because they were homeless. The mother reports the child came to her with an open bottle of the unknown [REDACTED] drugs. She took the bottle from him and placed it in the closet with her purse. The bottle was wet and it was initially unknown if the VC had ingested any of the contents. The mother decided to see how the child acted before taking him to the hospital. The mother stated that she placed VC on the floor to watch TV. A fourteen year old female who resides in the home was in the room with the VC. After mother fed her 7 month old child a bottle, she went into another room to go on Facebook. The mother returned to the living room about 5 minutes later. She saw an open bottle of medication and observed that the VC did not look normal. The mother reported that the VC was very pale and his eyes were rolled back. The mother tried to wake him up but he was not responding. The mother reported that she and the other adults in the home were screaming and various methods were used to arouse the VC including alcohol and cold water. The medication belonged to another child in the home. The mother thought that she would get in trouble if the police were called. The mother thought there was a warrant out for her arrest as a witness for a prior shooting. She was reluctant to call 911. The mother fled the home with one of her children or hid in the closet; both accounts were reported. The mother told household member to call EMS and to tell EMS that she (household member) was the babysitter. The household member accompanied the VC to the ER. The VC was [REDACTED]. A CT scan was done and reported to be normal. A toxicology screen was negative for the [REDACTED] drug that was said to be the medication in the

bottle. The mother showed up at the hospital with the police and was interviewed by the county worker. The VC and the siblings were placed with family members. The mother reluctantly signed a safety plan for the children to remain with the family members. [REDACTED]

[REDACTED] The mother continues to be homeless. The county worker [REDACTED] on January 3, 2014.

Current Case Status:

The medical evidence determined that this was accidental. There are three caretakers who are currently caring for the four children. The families were not offered kinship care. They were told [REDACTED]. The VC [REDACTED] from the hospital on November 8, 2013 to the care of his paternal aunt.

The paternal aunt and grandmother expressed concerns to the county worker that the mother shows up high and they don't want to be involved with the visitation issues. The family was told [REDACTED] the notes stated that the family members were relying on mother to bring them [REDACTED] and diapers for the children. [REDACTED]

[REDACTED] The county [REDACTED] and closed the case on January 3, 2014.

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

- Strengths:
 - Father's family available to assist in care of the children.
 - Mother cooperated with allowing children to remain with family
 - VC has appointment with [REDACTED]

- Deficiencies:
 - Children Unsupervised at the time of incident
 - Delay in calling 911
 - History of unstable housing
 - Mother has history of drug use
 - Father of victim child incarcerated for selling drugs
 - History of missed [REDACTED] appointments

- Recommendations for Change at the Local Level: None Identified

- Recommendations for Change at the State Level: None Identified

Department Review of County Internal Report:

SERO received the county fatality review. The Regional Office is not in agreement with the county report. The report was not complete. Some current GPS reports were not included in the County's Act 33 report. This historical information was critical to understanding the mother's current situation, as they described her drug history and history of homelessness.

Department of Public Welfare Findings:

- County Strengths:
 - CPS investigation was thorough and timely.
 - Good collaboration among law enforcement, hospital and children and youth agency.
 - The VC and the sibling are currently staying with relatives in an arrangement by the family. After several discussions with the case manager, it was determined that the mother placed the children with the family members on an informal basis. The case manager [REDACTED] to the family members who were caring for the children. The safety threats were addressed and the children are safe in the custody of relatives.

- County Weaknesses:
 - The county records that were provided to the Department did not include the history of this family. The records did not show that this family was known to the county.
 - The mother remains homeless and the children are placed with several relatives who don't have legal custody. [REDACTED] to the relatives providing care, but not to the mother towards reunification with her children.

Statutory and Regulatory Areas of Non-Compliance: None

Department of Public Welfare Recommendations:

- The Department is recommending that the County offer the mother services to address her drug issues and assist in obtaining housing in order to reunify with her children and establish permanency for the children. If the mother is not able to maintain stability, the county should ensure that the children have permanency, such as assisting family with obtaining custody.