



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

## **REPORT ON THE NEAR FATALITY OF:**



**Date of Birth: 09/01/2008**  
**Date of Incident: 09/11/2013**  
**Date of Oral Report: 09/12/2013**

**FAMILY NOT KNOWN TO:**

**Delaware County Children and Youth Services**

**REPORT FINALIZED ON:**  
**03/16/2015**

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. Delaware County convened a review team in accordance with Act 33 of 2008 related to this report on 10/02/ 2013.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	09/01/2008
[REDACTED]	Mother	[REDACTED]/1985
[REDACTED]	Father	[REDACTED]/1986
[REDACTED]*	Day Care Owner [REDACTED]	[REDACTED]/1955

\* [REDACTED] is not a household member and is the owner of the day care where the incident occurred. [REDACTED]

**Notification of Child Near Fatality:**

On 09/11/13, Delaware County Children and Youth Services received a Child Protective services report [REDACTED]. On 09/11/13, the victim child, [REDACTED] was admitted to Children’s Hospital of Philadelphia, (CHOP). The victim child was [REDACTED] unresponsive, exhibiting convulsions, showing signs of heat stroke and hyperthermia. On the day of the incident the outside temperature was 94 degrees. The daycare owner of [REDACTED] Center left the victim child in an unsupervised vehicle for three hours. Dr [REDACTED] CHOP certified the victim child to be in critical condition.

**Summary of DPW Child Near Fatality Review Activities:**

The Southeast Regional Office reviewed the structured case notes provided by Delaware County Children and Youth Services, (CYS) and the Office of Child Development and Early Learning (OCDEL). On 09/12/13, The Department interviewed [REDACTED], CYS case manager, regarding the initial near fatality CPS. On 09/12/13 and 09/13/13 the Department conducted follow- up interviews with [REDACTED], CYS and [REDACTED], Certification Representative, OCDEL/DPW. [REDACTED] is the assigned Representative to license [REDACTED] Center, [REDACTED] SERO staff interviewed [REDACTED], and reviewed the facility safety visits, interviews, status of criminal investigation and the well-being of all the children. On 09/17/13, The Department conducted a follow-up interview with [REDACTED]

██████████ from OCDEL. ██████████ reported OCDEL was preparing to revoke ██████████ Center's day care license. ██████████ is the owner of ██████████ Center and was listed as the alleged perpetrator in this report. OCDEL placed ██████████ on a corrective plan and she wasn't allowed to have contact with the children in the facility. The Department attended the Act 33 Review Meeting on 10/02/13. On 09/19/13 ██████████, OCDEL informed the Department that the Department of Education and Public Welfare would officially revoke the day care's license on 09/20/13. On 09/20/13, 4:15pm ██████████ the ██████████ Center license was revoked.

**Children and Youth Involvement prior to Incident:**

The family had no prior history with Delaware County Children and Youth.

**Circumstances of Child Near Fatality and Related Case Activity**

On 09/11/ 13, the Delaware County Children and Youth (CYS) received a Child Protective Services report that the victim child was admitted to Children's Hospital of Philadelphia, (CHOP). The victim child was unresponsive and suffered from a heat stroke, convulsions and hyperthermia. Dr. ██████████ from CHOP certified the victim child to be in critical serious condition. On 9/11/ 13, the CYS conducted a visit to the hospital to assess the victim's child's safety.

On 9/11/ 13 the victim child attended ██████████ School. The victim child was scheduled to be picked up by ██████████ for an afterschool program at ██████████ Center. ██████████ is the owner of ██████████ Center; according to the surveillance camera ██████████ escorted the victim child and two other children to the daycare center at 3:29 pm. The surveillance cameras showed two children exit the van and go into the day care center and ██████████ drove off. ██████████ decided to switch from the van to another vehicle. ██████████ picked up another vehicle and left the van parked. ██████████ proceeded in the second vehicle and picked up other children from different destinations. Approximately at 6:11 pm, the victim child's mother arrived at the ██████████ Center to take the victim child home. The staff was unable to locate the child. Eventually, ██████████ realized she had left the victim child in the parked van. ██████████ went to the van and found the victim child was still in the van. ██████████ carried the victim child into the day care and the victim child was unresponsive. The day care staff called 911 and the paramedics transported the victim child to CHOP. The victim child was in critical condition.

On this particular day, the temperature was 94 degrees. The victim child suffered from a heat stroke, convulsions and hyperthermia. The victim child remained in the hospital for two days. On 09/13/13 the victim child ██████████ his mother and father.

On 10/22/13, this report was Indicated against ██████████ based on medical evidence and perpetrator admission.

### **Current Case Status:**

- On 09/13/13 the victim child [REDACTED] from CHOP. No medical follow up was needed other than routine well child care.
- The mother and father of the victim child were cooperative and patient throughout the investigation.
- On 09/11/ 13, [REDACTED], the owner of the [REDACTED] Center, was arrested and charged with Endangering the Welfare of a Child and Recklessly Endangering Another person. On 09/12/13, [REDACTED] was released on bail. The [REDACTED] Police are conducting the criminal investigation.
- [REDACTED] attended court on 10/18/13; the criminal charge of Recklessly Endangering Another Person was dismissed. The next court date was scheduled for 11/13/13.
- On 09/12/13 OCDEL placed [REDACTED] on a corrective plan. [REDACTED] would not have any unsupervised contact with the children.
- On 09/20/13 4:15pm [REDACTED] Center license was revoked. The parents received notice with a list of nearby day care centers that would accommodate the needs of their children.
- On 10/22/13, Delaware County CYS completed the CY 48 and the report was filed with an Indicated Status. According to the medical evidence and the investigation the allegations of lack of supervision resulted in a physical condition. The victim child was hospitalized and suffered from heat stroke, convulsions and hyperthermia.

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

- Strengths:  
Delaware County CYS and The Office of Child Development and Early Learning were able to collaborate and address the safety and well- being of the victim child and the children at the daycare.
- Deficiencies:  
There were no deficiencies identified.
- Recommendations for Change at the Local Level:  
There were no recommendations
- Recommendations for Change at the State Level:  
There were no recommendations.

### **Department Review of County Internal Report:**

On 12/23/2013, the Department received the county report. The Department has reviewed the report and agrees with the findings of the report. During the Act 33 review, it was apparent that there was good collaboration between the county, OCDEL and the police.

**Department of Public Welfare Findings:**

- County Strengths:  
The County provided the information within the required time frames.
- County Weaknesses:  
There were no areas of concern identified.
- Statutory and Regulatory Areas of Non-Compliance:  
There were no areas of concern identified.

**Department of Public Welfare Recommendations:**

The Department did not have any recommendations.