



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE NEAR DEATH OF



BORN: October 22, 2009
Date of Near Death Incident: November 26, 2009

The family was not known to Allegheny County Children and Youth Services.
The family was not known to other public/private social service agencies.

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 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, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets 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

Circumstances of Child's Near Fatality:

On November 26, 2009, the five-week old child was transported to Children's Hospital of Pittsburgh after significant vomiting while in the care of her parents. The child was evaluated and determined to be suffering from fresh subdural hemorrhages and bleeding in other locations in the brain.

Summary of Review**1. Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Child	10/22/2009
[REDACTED]	Mother	[REDACTED] 1989
[REDACTED]	Father	[REDACTED] 1986

2. Documents Reviewed and Individuals Interviewed:

The OCYF Regional Program Representative reviewed the case file provided by Allegheny County CYF for the intake investigation on this family. The file included the investigation summary, demographic information, risk/safety assessment and safety plan, and progress notes. Interviews were conducted with Allegheny County CYF staff, including the intake caseworker and the current intake supervisor. Also reviewed were the medical and forensic records provided by the Children's Hospital of Pittsburgh.

Case Chronology

On November 26, 2009, the five-week old child, [REDACTED], was transported to Children's Hospital of Pittsburgh after significant vomiting while in the care of her parents. At the time of the report to [REDACTED], the [REDACTED] reported the child was suffering from [REDACTED] on the brain, as well as swelling to the head and a possible [REDACTED].

The child was [REDACTED] in order to complete more tests concerning the injuries. The Children's Hospital of Pittsburgh was able to identify that the child's injuries were [REDACTED] and

bleeding in other brain sites. The injuries were determined to be inflicted, involving shaking actions which resulted in tissue shearing injuries.

While the mother and father denied having knowledge of the origin of the injuries, the [REDACTED] revealed the father as the identified [REDACTED].

The case is still pending criminal action against the father, as he has been arrested and charged with Aggravated Assault, Recklessly Endangering Another Person, and Endangering the Welfare of Children. No court hearing had been held at the time of the writing to this report.

The child was placed with the paternal great uncle and aunt after the near death. The mother resumed custody of her child on January 22, 2010 after confirmation that the father was no longer in the home.

The child received a developmental screening and interventions after the near fatality. The case remains open with Allegheny County Children, Youth and Families, specifically with Allegheny County Children, Youth and Families Family-Group Decision Making services.

Previous CY involvement

There was no previous involvement with Allegheny County Children, Youth and Families.

Compliance with Statutes and Regulations

The review did not identify compliance issues with statutes and regulations. Allegheny County Children, Youth and Families conducted all reviews as required.

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

- 1) Request for District Attorney's Certification of reports, given pending criminal proceedings against the child's father;
- 2) Review of timelines by which medical facilities notify law enforcement of injuries by criminal acts (Crimes Code of PA, Section 5106).

Findings and Recommendations

After reviewing the case record and interviewing stakeholders, the Western Regional Office of Children, Youth and Families has concluded Allegheny County Office of Children, Youth and Families followed appropriate protocol in regards to the investigation of the aforementioned referral.

At the time of this report, the case is pending criminal court action against the father, as he has been arrested and charged with Aggravated Assault, Recklessly Endangering Another Person, and Endangering the Welfare of Children. No court hearing had been held at the time of the writing to this report. Allegheny County continues to provide in-home services to the family.

Additionally, the Department is in agreement with the recommendation from the county concerning the review of timelines with medical facilities, as the incident was not reported to Allegheny County Children, Youth and Families until 24 hours after the child was admitted to the hospital.