



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 09/15/2011
Date of Incident: 09/03/2012
Date of Oral Report: 09/04/2012

FAMILY KNOWN TO:

THE PHILADELPHIA DEPARTMENT OF HUMAN SERVICES

REPORT FINALIZED ON: 4/24/13

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. Philadelphia County Department of Human Services (DHS) has convened a review team in accordance with Act 33 of 2008 related to this report. The Act 33 Review for this case was held on 09/21/12 at 9:30AM at the Medical Examiner's Office.

1. Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
██████████	Mother	██████/93
██████████	Father	██████/88
██████████	Victim Child	09/15/11

Notification of Fatality / Near Fatality:

On 09/04/12, The Philadelphia Department of Human Services (DHS) received a call from ██████████ concerning the victim child, ██████████. DHS was told the following: There was a DHS case that was ██████████ and closed in July 2012 regarding ██████████. The child was brought to the hospital on 09/03/12 at 11:00 am and was found to be unresponsive and with possible seizure activity. The child was found to have ██████████. The only caretaker of the child were the parents. Both parents stated that the child was fine on 09/01/12. On 09/02/12, the child had an unusual cry and was not behaving like ██████████ normal self. The parents stated that the child's eyes were open, however, ██████████ was unresponsive. The child did not go to sleep until 4:00 am on 09/03/12. The father stated that the child became stiff at approximately 10:00 am. He stated that the child's eyes were staring and then they started to move back and forth. The parents took the child to the emergency room on 09/03/2012. The skeletal survey of the child was negative. Dr. ██████████ certified the child to be in critical condition. There were no other children residing in the home.

2. Documents Reviewed and Individuals Interviewed:

The Pennsylvania Department of Public Welfare Southeast Regional Office of Children, Youth and Families (DPW-OCYF), received a CY-48 regarding this case on 10/28/12. Although the child was originally injured in September 2012, there was deliberation as to whether or not this case would be determined to be a near fatality. Dr. ██████████ from The Children's Hospital of Philadelphia (CHOP) certified that the child was a near fatality and DPW-OCYF began reviewing the information pertaining to this case. DPW-OCYF contacted ██████████ from Philadelphia DHS and Social Worker ██████████ regarding pertinent information regarding the child's condition and additional details of this case.

DPW-OCYF reviewed the CY-48 for ██████████, The Philadelphia DHS case record for the victim child's family, and participated in a state wide fatality call for this case on 09/20/12. DPW-OCYF reviewed all current and past case records regarding this victim child. Follow up interviews were conducted with Philadelphia DHS contact person ██████████, and Social Worker ██████████.

Summary of Services to Family:

Previous CY involvement:

July 2012 CPS Investigation Unfounded

The child suffered ██████████ and obtained a ██████████. The Philadelphia Department of Human Services investigated this matter and determined it to be Unfounded for physical abuse.

Circumstances of Child are Fatality or Near Fatality:

The child was taken to the emergency room on 09/03/12. The father stated that at approximately 10:00 am, the child's body became stiff. [REDACTED] eyes were staring and they began to move back and forth according to the father, who is named as one of the alleged perpetrators. The parents contacted their insurance company hotline and were informed that they should take the child to the emergency room as soon as possible. The child was taken to Children's Hospital of Philadelphia. On 09/04/12, the child was given a

[REDACTED]. The child was also given an [REDACTED] on 09/04/12 that revealed [REDACTED] consistent with trauma, [REDACTED]. The test also revealed that [REDACTED]. Dr. [REDACTED] from CHOP stated that the child has [REDACTED].

The doctor noted that the child was [REDACTED] and that the child is not to be discharged from the hospital without the knowledge of Philadelphia DHS. The child's father ([REDACTED]) was arrested by the Philadelphia Police Department on 09/18/12. He was charged with aggravated assault, endangering the welfare of a child, simple assault and recklessly endangering another person. This case was investigated by Philadelphia Special Victims Unit ([REDACTED]). This case was determined to be indicated for physical abuse on 10/04/12. The report was indicated based upon the DHS investigation, and the father admitting to hitting the victim child.

Current / most recent status of case:

On 10/12/12, this case was transferred to DHS on-going services. The child was placed in a [REDACTED] foster home with [REDACTED] on 10/31/12. [REDACTED]. The Children's Hospital of Philadelphia coordinated [REDACTED]. DHS continues to have legal and physical custody of the child at this time. No charges have been filed against the child's mother and the CPS investigation was unfounded against the mother. The CPS investigation determined that the father of the child acted alone in inuring the victim child. Father confessed to this when interviewed by the Philadelphia Special Victims Unit. The child's goal at this time is reunification with [REDACTED] mother. The mother has requested that DHS explore her sister as a possible kinship resource in this case. The mother currently has supervised visits with the child. DHS is not in favor of the child's family being a resource to the child, due to the child's [REDACTED] needs. DHS feels that all presented kinship resources work jobs, and this will prevent them from addressing all of the child's various needs. The perpetrator, [REDACTED], is currently awaiting trial. The most recent court date was 02/15/13 and the next court date is scheduled for 08/30/13.

County Strengths and Deficiencies as identified by the County's Near Fatality Report:

Act 33 of 2008 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 Child Line. Philadelphia County DHS has convened a review team in accordance with Act 33 of 2008 related to this report on 09/21/12.

- **Strengths:** [REDACTED] was arrested, the child was referred for follow-up services, the goal in the Family Service Plan is reunification with the mother, and the child is in a medical foster home and receiving the care and attention that [REDACTED] requires.
- **Deficiencies:** The family was previously known to DHS (July/2012).
- **Recommendations for Change at the Local Level:** None
- **Recommendations for Change at the State Level:** None

Department Review of County Internal Report:

The Philadelphia Department of Human Services copied the internal report and documents, and forwarded the documents in a timely manner to the Southeast Regional Office. The reports and case documentation was clear and easy to follow. The Southeast Regional Office of The Department of Public Welfare, Office of Children, Youth and Families agrees with the findings of DHS regarding this matter.

Department of Public Welfare Findings:

- County Strengths:
- The CPS investigation was detailed and complete.

- County Weaknesses:
- None noted

- Statutory and Regulatory Areas of Non-Compliance:
- None noted.

Department of Public Welfare Recommendations:

No recommendations are suggested for this matter. DHS performed a very detailed and complete investigation regarding this case.