



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE NEAR FATALITY OF



BORN: September 1, 2008
DATE Near-Fatality: March 7, 2009

FAMILY KNOWN TO:
The family was not known to Lycoming County C&Y

DRAFT DATED: January 19, 2010
REPORT FINALIZED: February 4, 2010

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 child near-fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review and provide a written report on any child fatality or near fatality where child abuse is suspected.

1. Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
<i>Household #1</i>		
[REDACTED] (now in prison)	Mother	[REDACTED] 1990
[REDACTED]	Father of [REDACTED]	[REDACTED] 1982
[REDACTED]	Father of [REDACTED]	[REDACTED] 1989
[REDACTED]	Victim child	09/01/2008
[REDACTED]	Half-sister	[REDACTED] 2009
<i>Household #2</i>		
[REDACTED]	Maternal grandmother	
[REDACTED]	Maternal grandfather	
[REDACTED]	Maternal uncle	
<i>Household #3</i>		
[REDACTED]	Paternal grandmother	[REDACTED] 1959
[REDACTED]	Paternal grandfather	[REDACTED] 1957
<i>Household #4</i>		
[REDACTED]	Paternal step-grandmother	

Notification of Fatality/Near Fatality

[REDACTED] report on 03/07/09 states that child was admitted to Williamsport Hospital on 03/04/09 for poor feeding and weight loss which was suggestive of failure to thrive. Child had poor muscle tone upon arrival. The examination and work-up revealed [REDACTED] consistent with shaken baby syndrome. Child's ongoing weight loss was determined to be related to shaken baby. No history was provided for child's condition. Child was certified to be in serious, life-threatening condition. [REDACTED]

It was believed that the child was shaken over a period of time, probably dating back to near birth. Child suffered brain atrophy as a result of her injuries. Mother, age 19, is employed and mother's paramour, the child's father, was the primary caregiver while mother worked.

Lycoming County Children and Youth Services had no contact with the family prior to this report.

2. Documents Reviewed and Individuals Interviewed:

Lycoming CYS case record

Medical records

Interviewed: Caseworkers [REDACTED], [REDACTED], [REDACTED] Supervisor [REDACTED], DSS [REDACTED]

3. Case Chronology:

Previous CYS involvement:

Household of [REDACTED] & [REDACTED] had no prior agency involvement.

[REDACTED] family of origin was not known to the agency.

The mother of [REDACTED] said that she had been involved with Children & Youth for hitting her son when he was a child, and that [REDACTED], [REDACTED] father, was out of the home for about a month. Agency records have been purged.

Circumstances of child's near fatality:

The child was admitted to the Williamsport Hospital on Wednesday, 03/04/09, because she was unable to keep any formula or food down. On Saturday, 03/07/09, a [REDACTED] report was made following a CT scan showing [REDACTED], and ophthalmologist examination that revealed [REDACTED].

[REDACTED]. The child had [REDACTED]. Following her discharge on 03/10/09 to maternal grandmother, it was determined that child also had [REDACTED], which would have impacted feeding and digestion. [REDACTED]

[REDACTED] She received [REDACTED] and is making good progress.

Interviews:

On March 7, 2009, the CYS emergency duty caseworker spoke with parents and maternal grandparents to notify them of the [REDACTED] report and explain the investigation process. On March 9, 2009, the CYS caseworker [REDACTED]

[REDACTED] All parties denied having any knowledge of how [REDACTED] sustained her injuries. [REDACTED] said that [REDACTED] told her that Father was rough with the child. [REDACTED] also said Father has a bad temper and punched the wall when frustrated. [REDACTED]

[REDACTED] once observed Father "handling her rough" and spoke with him about it.

Maternal grandparents were offered as a kinship care resource. [REDACTED]

[REDACTED] was released to the maternal grandparents' home on March 10, 2009.

On March 11, 2009, Trooper [REDACTED] interviewed father and mother at PA State Police barracks. Father admitted to actions that caused child's injuries. These included his tripping over the dog and her hitting the paneling, his slamming her into the "Pack'n'Play", and slamming her on the corner of the couch when her head hit the end table.

On March 12, 2009, the CYS caseworker made a home visit and interviewed [REDACTED] regarding child's care, did a safety assessment, and inquired as to parents' contact with [REDACTED]. Mother was seeing her child only with supervision. [REDACTED] were not permitting father to visit.

That same day CYS caseworker and State Trooper [REDACTED] met with [REDACTED]

[REDACTED] "Fairly significant force" needed to be exerted to cause these injuries. They also met with [REDACTED]

[REDACTED] Dr. [REDACTED] indicated that the child had "non-accidental trauma."

CYS caseworker and Trooper [REDACTED] met with [REDACTED] primary care physician on March 13, 2009. [REDACTED]

████████████████████. He concurred that the injuries were non-accidental. The ██████████ was resolving without additional treatment. The ██████████ was likely to result in ██████████

CYS caseworker, Trooper ██████████, and Trooper ██████████ made a visit to the parent's home on March 16, 2009, and had the father show them the places in the home where incidents occurred. Tpr. ██████████ took photographs. Tpr. ██████████ and caseworker went to neighbor's home because they were identified as babysitters for ██████████. The neighbors ██████████ were ██████████ appropriately concerned about the child.

The following day, the CYS caseworker interviewed Father, (since she had not participated in Tpr. ██████████ interview) who again described in detail several incidents during which time he was frustrated or angry and "slammed her" or "started shaking her." He recognized on some occasions that he'd hurt the child, and "prayed that I wouldn't do it again." He did not tell mother about these incidents at the time they occurred. Father requested visits with his daughter and inquired about ██████████.

Current/most recent status of case:

████████████████████. On March 24, 2009, ██████████ was incarcerated on charges of felony aggravated assault, endangering the welfare of children (F3), and recklessly endangering (M2). He pled guilty on August 18, 2009 to the aggravated assault charge and was sentenced 5-10 years. He is currently at SCI Camp Hill.

██████████ was discharged from the hospital to maternal grandparents on March 10, 2009, and had supervised visits with her mother at their home. Lycoming CYS did not take custody of the child since the family agreed to the arrangements and the safety plan for child to live with grandparents, and mother to have only supervised visits while investigation was ongoing. On April 23, 2009, ██████████ returned to live with her mother, and voluntary in-home services, which are listed below, were established. Using the new safety assessment tool, it was determined that there were no safety threats, and therefore, a safety plan was not devised.

██████████ provided adequate care to ██████████ and cooperated with Outreach services and the CYS caseworker, as well as ██████████ services for ██████████. There were ongoing difficulties with keeping the residence clean and safe. ██████████ terminated her relationship with ██████████ when he confessed to hurting ██████████, but soon developed a relationship with ██████████. He moved into her home. ██████████ appears to ██████████. ██████████ is not employed, and was arrested in May 2008 for various charges, including aggravated assault. He pled guilty to simple assault and other charges were dropped. In October 2009 he was arrested for soliciting sex from minors (13, 15 y.o.) and is awaiting trial. The agency caseworker counseled ██████████ to use caution regarding her partners. When she got a job, ██████████ was babysitter for ██████████. On the positive side, ██████████ provided care for ██████████ frequently, and was a support to the family in that she helped clean occasionally, and even hired a cleaning service on one occasion.

The case was closed on November 13, 2009, both the FSP goals and outreach worker's goals having been achieved. CYS was notified that mother was missing ██████████ appointments. On 12/22/09, the caseworker made a home visit to deliver Christmas gifts, and to inquire about ██████████ services. The caseworker observed that home conditions had deteriorated and mother was eight months pregnant ██████████. ██████████ delivered a girl on 12/28/09. The case is presently being assessed to determine whether the case should be re-opened for in-home services. The household at present includes ██████████, ██████████, ██████████ and the infant, ██████████.

Safety assessments were completed at each contact with the child, including 03/09/09 and 03/12/09, just prior to and following ██████████ release from the hospital, and at least twice each month thereafter, until the case was closed. When the new intake assessment began in December, the children were assessed to be "safe" on 12/28/09 (██████████) and 12/29/09 (██████████, the new baby) and therefore a safety plan is not required.

Services to children and family:

[REDACTED]
Outreach services - Lycoming CYS - parent education, budgeting & housekeeping instruction
Baby Basics parent education class

[REDACTED] neurologist - discharged
[REDACTED] ophthalmologist - discharged
[REDACTED] PCP - ongoing well-baby care
[REDACTED]

American Rescue Workers Love Center - emergency assistance with lot rent
MDT review was held 4/7/09

County strengths and deficiencies as identified by the County's near fatality report:

None noted.

County recommendations for changes at the local (County or State) levels as identified in County's near fatality report:

Concern was voiced regarding SHS's (Susquehanna Health System, which includes Williamsport Hospital) ability to diagnose and treat cases with injuries of this severity. It was recommended that Geisinger Medical Center be consulted much earlier in such cases.

Central Region findings:

STRENGTHS: The [REDACTED] investigation was prompt and thorough. Collaboration with police was excellent.

Relative resources were quickly identified and used, averting foster placement.

Traditional casework and outreach services provided frequent monitoring and input to the family

DEFICIENCIES:

Mother and Father each had a separate interview with the police and CYS. Coordinating schedules so that they could both CYS and LEO could interview together would have increased the efficiency of the investigation.

There were no referrals made to mother for [REDACTED]
[REDACTED]

Neither [REDACTED] nor [REDACTED] was referred for [REDACTED] services despite caseworker's observations that [REDACTED]
[REDACTED]

Statutory and Regulatory Compliance Issues:

None