



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

Raheemah Shamsid-Deen Hampton
Managing Director
Southeast Region

801 Market Street, Sixth Floor
Suite 6112
Philadelphia, Pennsylvania 19107

(215) 560-2249/2823
Fax: (215) 560-6893

REPORT ON THE NEAR FATALITY OF:



BORN: 02/12/2008

DATE OF NEAR FATALITY: 05/14/2014

DATE OF REPORT: 05/06/14

**FAMILY HAS NO PRIOR HISTORY WITH
BERKS COUNTY CHILDREN AND YOUTH SERVICES**

REPORT FINALIZED ON:

07/21/2015

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 by Governor Edward G. Rendell. 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. Berks County convened a review team in accordance with Act 33 of 2008 related to this report on July 8, 2014. Moreover, the Indicated determination was submitted on May 30, 2014 via a CY-48 to ChildLine.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	02/12/2008
[REDACTED]	Sibling	[REDACTED]/1995
[REDACTED]	Sibling	[REDACTED]/1998
[REDACTED]	Sibling	[REDACTED]/1999
[REDACTED]	Sibling	[REDACTED]/1996
[REDACTED]	Mother	[REDACTED]1977

Family resided at [REDACTED]
Father: [REDACTED] resides in NYC and has no contact with the victim child.

Notification of Child Near Fatality:

On 05/06/2014 the victim child was taken to St. Joseph's Medical Center in Reading due to severe respiratory failure and extremely low oxygen levels. She was then transported to Lehigh Valley Hospital for treatment. [REDACTED] requested that this incident be called [REDACTED] due to [REDACTED] involvement with this child in July 2013 when the family was living in Lehigh County. The family was residing in Berks County at the time of the incident. The child was admitted [REDACTED] due to respiratory distress. The mother did not keep follow up appointments for the previous nine months and the child's health suffered as a result according to [REDACTED] stated that the child was admitted due to poorly controlled [REDACTED] and her parent's failure to follow up with the child's routine [REDACTED] On 05/14/2014 [REDACTED] notified Berks County Children & Youth Services (BCCYS) that this report was a Near Fatality.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families (SERO) obtained and reviewed all current investigation case notes conducted by the BCCYS investigator. Follow-up interviews were also conducted with the investigator, her supervisor and the intake director for BCCYS. Also, the Dauphin County Social Services for Children and Youth (DCSSCY) caseworker was very helpful in providing information to complete this report. Moreover, SERO did an intensive record review on the information received from BCCYS pertaining to the child's medical concerns.

Children and Youth Involvement prior to Incident:

This family was not known to BCCYS prior to the 05/06/2014 ChildLine report.

The family has had General Protective Services (GPS) involvement with Lehigh County Office of Children and Youth Services (LCOCYS). LCOCYS became involved with this family on 07/13/2013. The family had recently moved to [REDACTED], PA from [REDACTED], New York. The victim child [REDACTED] Lehigh Valley Hospital for respiratory distress on 07/10/2013. The child has a history of battling with [REDACTED]. On 07/13/2013 the hospital was assessing the child's condition [REDACTED], but instead [REDACTED] due to her oxygen level dropping when she sleeps. The child's mother was agitated and somewhat furious about the child staying due to her expenses of feeding her children outside of the home and the gasoline costs from driving back and forth to the hospital. She stated that she was spending her electric bill funds and had received a shut off notice. The hospital could not [REDACTED] to a home without electricity in case the child needed a [REDACTED] treatment. LCOCYS assessed the family for services when the child was [REDACTED] hospital. They were seen in their home and everything appeared appropriate with electricity and air conditioning for the victim child as well as the rest of the family. The family continued to receive casework services though LCOCYS until 08/05/2013 when the case was closed with the allegation unsubstantiated. The GPS allegation was lack of utilities (electricity) which was interfering with the child being [REDACTED].

Circumstances of Child Near Fatality and Related Case Activity:

On 05/06/2014 the victim child was brought to the St. Joseph Medical Center [REDACTED] with severe respiratory concerns. The child was lethargic and had an oxygen saturation level of only 48%. She was assessed and the decision was made to transport her to Lehigh Valley Hospital where she was [REDACTED] with acute respiratory distress due to [REDACTED]. The child had a history of hospitalizations related to [REDACTED] concerns with the most recent hospitalization in July 2013, also at Lehigh Valley Hospital. [REDACTED] from Lehigh Valley Hospital, in July 2013, the child was [REDACTED] and the mother was advised to follow up with the [REDACTED]. The mother failed to follow through with the follow-up appointment as advised by the child's medical professional. The mother later reported that she was giving the child her [REDACTED] medication. However, pharmacy records indicated that mother picked up only [REDACTED] following the child's [REDACTED] in July 2013 and the next [REDACTED].

██████████ until April 2014 when the child was seen by a doctor for a sick visit. The mother denied the allegations. She stated that she was unable to schedule follow ups and manage her child's illness due to her planning to move to ██████████ and her ██████████. The treating physician at Lehigh Valley Hospital, for this incident, expressed concern that the child was hospitalized twice in a one year period and that the child's serious condition is due to her parent's failure to follow through with the child's ██████████ regimen. The physician stated the child could have died and is in critical condition. ██████████ the child was in critical condition. ██████████ notified BCCYS on 05/14/2014 that this was now a Near Fatality report.

BCCYS indicated the case on 05/30/2014 as it met the criteria set forth in the Child Protective Service Law (CPSL) for Medical Neglect.

Current Case Status:

BCCYS ceased all involvement with the family as of 05/30/2014 as the family no longer resides in Berks County. On 05/15/2014 the mother moved the family to Dauphin County without giving BCCYS the new address, stating it was her in-law's decision. On 05/20/2014, the mother did give her new address to BCCYS and on 05/22/2014 BCCYS reached out to DCSSCY and made a referral. DCSSCY received the case on 05/23/2014 for assessment. They closed the case on 8/12/14 citing the child had been assessed at Penn State Hershey Children's Hospital in May 2014 and that the mother had completed the necessary follow up appointments. The family has since moved to New York.

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

There was an Act 33 Review Team convened due to the case being Indicated on 07/08/2014.

- Strengths:
The county reported that the school nurse was influential in identifying the child's illness and reporting it timely; the family had no drug and alcohol concerns, casework services were completed and verify that appointments were kept and ██████████ i.e. mother eventually was successful with following through with the child's treatment, the collaboration between BCCYS and LCOCYS was outstanding, and the child's mother notified BCCYS of her move to Dauphin County which facilitated a successful case transfer from BCCYS to DCSSCY. (Good communication between the two counties)
- Deficiencies:
- None identified
- Recommendations for Change at the Local Level:
None at this time
- Recommendations for Change at the State Level:
None at this time

Department Review of County Internal Report:

Berks County convened a review team in accordance with Act 33 of 2008 related to this report on 07/08/2014.

Department of Public Welfare Findings:

- County Strengths:
The BCCYS investigation on this matter was well done as was their collaboration with LCOCYS and DCSSCY as it relates to notifications and exchanging of information and the transferring of the case.

- County Weaknesses:
None at this time

- Statutory and Regulatory Areas of Non-Compliance:
None

Department of Public Welfare Recommendations:

None at this time