



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE Fatality OF:

Nathaniel McNeely

BORN: May 24, 2013

DIED: September 16, 2013

DATE OF ORAL REPORT: September 15, 2013

FAMILY KNOWN TO:

Armstrong County Children and Youth Services

REPORT FINALIZED ON:

08/10/2015

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. 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. Armstrong County has convened a review team in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
Nathaniel McNeely	Child	5/24/2013
[REDACTED] *	Mother	[REDACTED] 1998
[REDACTED] *	Father	[REDACTED] 1986
[REDACTED] *	Brother	[REDACTED] 2009
[REDACTED]	Half-Brother	[REDACTED] 2004
[REDACTED]	Half-Brother	[REDACTED] 2005
[REDACTED]	Step-Mother	[REDACTED] 1988

*Indicates that these individuals are not household members in the residence that the incident occurred in.

Notification of Child (Near) Fatality:

On 9/15/13 Armstrong County Children and Youth Services, (ACCYS) received a report [REDACTED] that the child was admitted to Children's Hospital of Pittsburgh in cardiac arrest. The child was in critical condition, and it was unclear whether he would survive.

According to the report the child along with his brother were with the father at his ex-wife's home with the father's two older sons and his ex-wife. The child primarily lived with the mother and this was the first visit with the father at his ex-wife's home. The father had picked up the child and his brother around 2:30 pm on 9/14/13. According to the father, the children were alone with his cousin and his cousin's fiancée at his ex-wife's house.

The father stated that he gave the child [REDACTED] around midnight and kept the child up for fifteen to twenty minutes before putting him to bed in a Pack n' Play in his ex-wife's bedroom. This bedroom is located down the hall from the bedroom of

his oldest two sons. They then watched a movie in the living room. His second oldest son was falling asleep and his ex-wife sent him to bed. The oldest son then went upstairs to bed. The father kept the child's brother with him downstairs. The ex-wife fell asleep on the couch and after the movie was over the father went upstairs to check on the boys. The father found his oldest son in his bottom bunk bed. The child said that he did not know where the second oldest son was. The father then went into the ex-wife's bedroom and found the child and his second oldest son asleep in the Pack 'n Play. The father could see both boys in the Pack 'n Play. The second oldest son was covering the child's left shoulder/side. The father could see the child's head. The father said that he pulled his second oldest son out of the Pack n' Play. The child was white; he was lying on his stomach with his left arm underneath him. The father attempted to call 911; however, could not get through. The father then called to his ex-wife to call 911 to get help. The 911 operator instructed the father on how to perform CPR, who then proceeded to perform CPR on the child. The father said that he was not sure if he was doing it right, but the child did make gurgling sounds when he stopped and he felt that was a good sign. When the ambulance arrived he went with the child to Armstrong County Memorial Hospital.

Summary of DPW Child (Near) Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed the current case records and medical records pertaining to the [REDACTED] family. [REDACTED] attended the MDT meeting on September 25, 2013.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

Armstrong County Children and Youth Services did not have prior involvement with the family.

Circumstances of Child (Near) Fatality and Related Case Activity:

At 1:45 am on 9/15/2013, the child was transported via ambulance to Armstrong Memorial Hospital. The Emergency Medical Technician's (EMTs) had arrived at the ex-wife's house about 1:25 am and found the child apneic and pulseless in his bed about a half an hour prior to his arrival at the hospital. The EMTs [REDACTED] and during the ambulance trip to the hospital the child [REDACTED] and CPR was performed. The child did not regain spontaneous respirations. The child [REDACTED] The community hospital contacted Children's Hospital of Pittsburgh for the child to be transferred there. There was a delay in getting the child to Children's Hospital of Pittsburgh (CHP). Air transport could not be arranged because of the weather, so the child was transported to Children's Hospital of Pittsburgh by ambulance on 9/15/2013.

The child was [REDACTED] at CHP. The child was [REDACTED]

[REDACTED] There were no facial abrasions and no bruising on the child. [REDACTED]

[REDACTED] He was in

critical condition and his prognosis was grave.

[REDACTED] The mother stated that she had dropped off the child and his brother at approximately 2:00pm for the visit with the father. At that time the child was in his usual state of good health. The mother gave the father instructions on the child's [REDACTED]

[REDACTED] She then received a call about twelve hours later about the incident.

[REDACTED] The father did state that when he found the child and his second oldest son that his second oldest son had his right shoulder over the child's left shoulder. When the father pulled his second oldest son out of the Pack 'n Play, he told the father that he was not in the Pack 'n Play. The father described the child as being very white. He was limp and cool, but not cold and stiff to the touch. The father said that he did not get through to 911 the first time he called. His ex-wife did get through to 911. The 911 operator instructed him on giving CPR to the child, but he was not sure if he did it right. Then the EMTs arrived and the child was transported to Armstrong Memorial Hospital.

[REDACTED] The father's oldest son's description of the incident was substantially the same as his father's statement. However, he did say that he thought he saw the child and the second oldest son sleeping on his mother's bed. The father's second oldest son, who was found in the Pack 'n Play, refused [REDACTED]

[REDACTED] The child passed away on this date.

The agency conducted home visits to both of the family homes. The agency's involvement with the father's ex-wife and the two oldest boys centered on the need for both of the boys as well as the adults to get [REDACTED] There were no safety concerns in the home. The agency conducted a home visit with the mother and the child's brother. The agency again identified that the family members would need [REDACTED] this tragic incident. This side of the family was expressing anger and blaming the father's second oldest son for the incident. [REDACTED]

[REDACTED] There were no safety issues in this home.

On 9/25/2013, the case was presented at ACCYS's regularly scheduled MDT meeting. During the meeting, [REDACTED] that they had not received a

referral on the incident until the child had been admitted to Children's Hospital of Pittsburgh. [REDACTED] the Pack n' Play had been returned to its owner. The ex-wife's bedroom had been cleaned.

The child had been [REDACTED] before the autopsy was completed. There were questions on whether the child's organs would be donated for transplants.

[REDACTED] The preliminary autopsy results found that there were no signs of brain trauma or other trauma to the child. There was no evidence that the child had been shaken or suffocated. The child did have a small bruise on the back of the head which was consistent with lying on the autopsy table. The manner of death was not determined at that time. The criminal investigation was pending the final autopsy results.

On 10/15/13, ACCYS submitted [REDACTED] Report [REDACTED]
[REDACTED] The agency closed the case.

Current Case Status:

The case remains closed.

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

ACCYS did not submit a report since the determination [REDACTED] was made on the thirtieth day.

Department Review of County Internal Report:

ACCYS did not submit a report since the determination [REDACTED] was made on the thirtieth day.

Department of Public Welfare Findings:

- **County Strengths:**

The agency handled this case with great sensitivity and awareness of the family's grief about this tragic incident. The worker's interaction with the family members was both information gathering as well as offering to help the family members obtain the services through community resources that they needed.

- County Weaknesses:

There was a delay in the referral of the incident to the Pennsylvania State Police. This referral was not made until the child was admitted to Children's Hospital of Pittsburgh.

- Statutory and Regulatory Areas of Non-Compliance:

There were no Statutory and/or Regulatory Areas of Non-Compliance identified by the Department.

Department of Public Welfare Recommendations:

Armstrong County should consider providing education to the systems with in the County of the importance of referrals being made to the agency and the Pennsylvania State Police as soon as possible after the occurrence of an incident so there isn't a delay in the investigation.