



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 12/05/2012

Date of Incident: 06/19/13 to 06/20/2013

Date of Oral Report: 06/21/2013

FAMILY KNOWN TO:

Cambria County Children and Youth Services

REPORT FINALIZED ON:

03/01/2015

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.

(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. Cambria County did not convene a review team in accordance with Act 33 of 2008 related to this report. On 07/18/2013, Cambria County representatives assessed that the incident did not meet the criteria of abuse as per Pennsylvania’s Child Protective Services Law and the child abuse allegations were unfounded within 30 days of the report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Mother	[REDACTED] 1996
[REDACTED]	Daughter (victim child)	12/05/2012
[REDACTED]	Maternal Grandmother	[REDACTED] 1972
[REDACTED]	Maternal Step-Grandfather	[REDACTED] 1977
[REDACTED]	Maternal Aunt	[REDACTED] 1998
[REDACTED]	Maternal Step-Grandmother	[REDACTED] 1973
[REDACTED]	Uncle	[REDACTED] 2002
[REDACTED]	Uncle	[REDACTED] 1991
[REDACTED]	Uncle	[REDACTED] 2004
[REDACTED]	Father	[REDACTED] 1962
[REDACTED]	Step-Aunt	[REDACTED] 1990

Notification of Child (Near) Fatality:

Cambria County Children and Youth Services (CYS) received notification of the near death of [REDACTED] 06/21/2013. The child received [REDACTED] from Dr. [REDACTED] at the [REDACTED] Medical Center located in [REDACTED] PA on 06/20/2013. Records indicate that the child [REDACTED], a [REDACTED], and a [REDACTED]. The child was listed in serious condition and the decision was made to life flight the child to Children’s Hospital of Pittsburgh (CHOP) on the same date.

The Department of Public Welfare, Office of Children, Youth and Families (DPW/OCYF) Central Region was notified of the near death of the child on 06/21/2013.

Summary of DPW Child (Near) Fatality Review Activities:

The DPW/OCYF Central Region obtained and reviewed all current and past case records pertaining to the [REDACTED] / [REDACTED] family. Engagement and follow up interviews were conducted with the Cambria County CYS personnel including Caseworker [REDACTED], Casework Supervisor [REDACTED], and Director [REDACTED]. Cambria County CYS did not hold a Near Death Review meeting due to the allegations of abuse being deemed unfounded.

Children and Youth Involvement prior to Incident:

Cambria County CYS personnel gathered information of the agency's past involvement with [REDACTED] and her family that dated back to 2007.

The CYS agency received a report on 11/26/2007 alleging concerns that:

- a) [REDACTED] was afraid to be home because her step-mother pulls her hair, hits her head, is "mentally" abusive and drinks alcohol all the time, and that
- b) [REDACTED] was told by her father that when she gets home she is going to get a beating because she hid her grades from him.

Documentation indicates that [REDACTED] had no bruises or marks, and she lived primarily with her father, who had court ordered custody. During the investigation, [REDACTED] denied that the allegations were true. On 11/26/2008, the agency completed the investigation and ongoing services were not initiated.

On 02/16/2009, Cambria County CYS received report alleging concerns that:

- a) [REDACTED] was being grabbed by the throat and arm by her step-mother resulting in her having a mark, that
- b) [REDACTED] was being threatened by her step-mother, that
- c) [REDACTED] step-mother was mentally abusing her by putting her down because her step-mother doesn't like her; and that
- d) Her step-mother had "man handled" her in the past.

[REDACTED] primarily lived with [REDACTED] who continued to have court ordered custody. No active services were provided to this family. CYS reported that the investigative packet involving this report has been expunged.

The agency received another report on 09/08/2011 alleging concerns that [REDACTED] step-sister, [REDACTED], gave birth to a drug exposed infant. The baby had [REDACTED], but did [REDACTED] any [REDACTED]. On 09/30/2011, [REDACTED] was randomly [REDACTED] and [REDACTED] was [REDACTED]. [REDACTED] admitted that [REDACTED] to the birth of her child. It was assessed that [REDACTED] had a lot of supports who lived near her and who saw the baby at least once a day. Report was rejected on 10/17/2011.

Cambria County Children and Youth Services received an additional report on 12/03/2011 alleging concerns that:

- a) [REDACTED] ran away from her father's [REDACTED] residence, that

- b) [REDACTED] mother [REDACTED] then violated the custody order by allowing [REDACTED] to stay with her, that
- c) [REDACTED] was not being treated appropriately at [REDACTED]; and that
- d) [REDACTED] mother was using drugs.

On 01/09/2012, Cambria County Children and Youth Services completed its investigation with providing no active on-going services. [REDACTED] had gained temporary custody of her via a custody court order.

Cambria County Children and Youth Services had no prior involvement with the victim child, [REDACTED]

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

Child's mother, [REDACTED], and grandmother, [REDACTED], brought child to the [REDACTED] Medical Center on 06/20/2013 at 10:35 pm. The child was [REDACTED] by [REDACTED]. The grandmother informed the hospital that the child was being cared for by the maternal aunt, [REDACTED], whom reported that the baby turned her head and hit the corner edge of the coffee table. Family members stated that the infant was learning to crawl. The baby sustained a [REDACTED]

[REDACTED]. Reportedly, the grandmother said that on 06/19/2013, the baby had no marks: however, when the baby awoke on 06/20/2013, the infant's head was swollen. Child was too young to communicate as to how the injuries occurred.

[REDACTED] denied that she caused the injury to the child. The [REDACTED] stated that she witnessed the tail end of the incident and [REDACTED] was not near the child when the infant received the injury. Both stated that the child was on the floor and was rolling around. They reported that the child rolled over near a coffee table leg and her head hit the sharp corner of one (1) of the table legs. It was learned that the child's mother, [REDACTED], and the child's maternal step-grandfather were not at home at the time that this occurred.

Dr. [REDACTED] from [REDACTED] Hospital certified the child to be in [REDACTED]. It was reported that the injury was not consistent with the explanation provided as the child would have to strike her head very hard to cause these injuries. Child was transferred via life flight to Children's Hospital in Pittsburgh (CHOP).

Dr. [REDACTED] of CHOP stated that the child had a [REDACTED] that is a [REDACTED] [REDACTED] also assessed that it is slightly unusual that a six (6) month old [REDACTED] but does believe it is possible and "freak" injuries do occur. Dr. [REDACTED] stated that in [REDACTED], the diagnosis of abuse cannot be made. Dr. [REDACTED] of [REDACTED] Hospital agreed with Dr. [REDACTED] assessment stating that [REDACTED] is the expert in this field. The infant was [REDACTED] on 06/24/2013 to the care of the [REDACTED]. The CYS agency had developed a safety plan during the investigation to ensure the safety of the child as the investigation progressed.

On 07/18/2013, Cambria County representatives assessed that the incident did not meet the criteria of abuse as per Pennsylvania's Child Protective Services Law and unfounded the report. The decision is based on the findings of Dr. [REDACTED] that a diagnosis of abuse is unable to be made and that two (2) of the alleged perpetrators' statements were congruent. The agency determined the allegations to be unfounded. [REDACTED] Police Department was notified of the allegations. The police department informed Cambria County CYS that they are not pursuing any criminal charges regarding this incident. Follow up care was recommended if needed with infant's primary care physician. Dr. [REDACTED] recommended a follow up skeletal survey if the CYS agency needed additional information to support its findings.

Current Case Status:

The case is currently not active with Cambria County CYS. Though the agency did not open a case with the family, the infant, [REDACTED], was referred to [REDACTED] for an [REDACTED] assessment.

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

Cambria County assessed that the incident did not meet the criteria of abuse as per Pennsylvania's Child Protective Services law and unfounded the abuse within 30 days of the oral report from Childline.

Department Review of County Internal Report:

Due to the fact that the County did not facilitate a near fatality review meeting, the CYS agency shared with the Regional Office a follow up report on incident. This report was received by the Regional Office on 07/12/2013. The CYFS agency conducted the investigation and ensured that the Cambria County Assistant District Attorney's office was made aware of the incident and of the agency's final decision. The agency received information from the [REDACTED] Police Department that they are not pursuing criminal charges regarding this matter. There were neither recommendations nor deficiencies identified within the follow up report.

Department of Public Welfare Findings:

- **County Strengths:**
 - The CYS agency ensured representatives of OCYF's Regional Office were kept abreast on their investigation and outcomes.

- **County Weaknesses:**
 - No deficiencies were identified.

- **Statutory and Regulatory Areas of Non-Compliance:**
 - No deficiencies were identified.

Department of Public Welfare Recommendations:

The Regional Office completed interviews and obtained records as required. The case is not active with Cambria County Children and Youth Services at the time of this report. The Regional Office has no recommendations at this time.