



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE Near DEATH OF

{ [REDACTED] }

BORN: November 29, 2009
Date of Near Death Incident: Approximated between January 13
and January 14, 2010.

The family was not known to Allegheny County Children and
Youth Services.
The family was not known to other public/private social service
agencies.

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 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 near child fatalities that were suspected to have occurred due to child abuse. DPW must conduct child fatality and near fatality reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.¹

Circumstances of Child's Near Fatality:

Child [REDACTED] was taken to Children's Hospital of Pittsburgh on January 14, 2010 by his mother as "he was not himself and his head appeared to be swollen". He had been in the care of his father, [REDACTED] from January 13, 2010 to January 14, 2010, and the father reported to the CHP [REDACTED] that the child had fallen from a bed to the floor when the father had his back turned "for 5 seconds".

Child is found to have multiple [REDACTED]. Both parents denied knowledge of how the injuries had occurred. Hospital staff believed the injuries were suspicious, and that if the injuries were not inflicted, then there was at least a lack of supervision.

[REDACTED] certified the child to be in critical condition. At the time of the report, the child was expected to survive.

Summary of Review**1. Family Constellation:**

| <u>Name</u> | <u>Relationship</u> | <u>Date of Birth</u> |
|-------------|---------------------|----------------------|
| [REDACTED] | Child | [REDACTED] 2009 |
| [REDACTED] | Mother | [REDACTED] 1981 |
| [REDACTED] | Father | [REDACTED] 1988 |
| [REDACTED] | Maternal Aunt | [REDACTED] 1973 |

2. Documents Reviewed and Individuals Interviewed:

The OCYF Regional Program Representative reviewed the case file provided by Allegheny County CYF for the intake investigation on this family. The file included the investigation summary, demographic information [REDACTED] and progress notes. Interviews were conducted with Allegheny County CYF staff, including the intake caseworker and the current intake supervisor. Also reviewed were the medical and forensic records provided by the Children's Hospital of Pittsburgh.

Case Chronology

The six week old child was picked up by his father at 9:00pm on January 13, 2010 to have an overnight visit with him. This was the third visit with the child alone overnight. The father dropped the child off back at the mother's home at 7:00pm on January 14, 2010. At the time the child was dropped off, the mother was upstairs in the bathroom. The father placed the child on the sofa in his car seat, keeping on his coat.

The father reported to the maternal aunt that the child was sleeping. Mother exited the bathroom, and the father and maternal aunt went downstairs, as the father was going to fix the maternal aunt's headlight on her vehicle.

The mother took off the child's hat and coat and noticed something was not right with the child, and that the child appeared to be "floppy". Mother then noticed that the child's head was swollen, and the child's whining sounded different, almost a weak cry. Mother called to the maternal aunt, who also noticed the swelling, and immediately took the child's temperature while the mother made a bottle. Mother and maternal aunt reported that the child's temperature was 99 degrees, and that the child refused the bottle. The mother then questioned the father as to why the child looked different, to which the father replied that the child looked the same.

The child was taken to Children's Hospital of Pittsburgh emergency room on January 14, 2010 at 9:06pm by his mother as "he was not himself and his head appeared to be swollen". The child weighed approximately 11 pounds. A head CT was performed, and abnormal results were found [REDACTED]

[REDACTED] The child was admitted to the [REDACTED] at 10:00pm in critical condition [REDACTED] certified the child to be in critical condition. At the time of the report, the child was expected to survive.

Both parents initially denied knowledge of how the injuries had occurred. Hospital staff believed the injuries were suspicious, and that if the injuries were not inflicted, then there was at least a lack of supervision. Mother and father were interviewed by the CHP [REDACTED]. The father reported to the CHP [REDACTED] that he had changed the child's diaper at the edge of the bed around 3:00pm. The father turned away to discard a soiled diaper and the child fell off of the bed. The child did not cry so the father did not believe the child was injured. The father reported that the child slept until leaving to return to the mother. He stated that he did not tell the mother because "he was embarrassed".

On January 15, 2010, the child was sent for a consultation with the CHP [REDACTED] [REDACTED] The initial report finds that the child had swelling to both sides of the head, and was poorly responsive, however did respond to pain

by grimacing and moving away. A 3D head CT revealed [REDACTED] were visible, and the bones appeared normal.

At 11:30am on January 15, 2010, [REDACTED] reports to Allegheny County CYF intake worker via telephone, "This is a 6 week old male with a big injury...probably happened yesterday sometime in the afternoon. Preliminarily, we think it is [REDACTED] At 12:30pm on the same date, the CHP social worker reports to Allegheny County CYF intake worker that [REDACTED]

[REDACTED] After learning this information, Allegheny County CYF made a referral to law enforcement. [REDACTED] of the Penn Hills Police Department interviewed the father at his home.

The child was transferred out of [REDACTED] on January 20, 2010, and doing well. The mother had stayed with the child at the hospital for his entire stay.

The child was [REDACTED] on January 22, 2010 to the custody of the mother. The safety plan developed in collaboration with the family was that the mother would not allow the father to have visitation with the child. Additionally, Allegheny County CYF referred the child to [REDACTED] services.

On January 28, 2010, the child had an [REDACTED] and was found to be normal. Additionally, the child's appetite was fine and he was resting at home.

At the time of this report, the {Child Protective Services investigation is pending determination }due to criminal court action. Additionally, the investigation remains open with the Penn Hills Police Department.

Previous CY involvement

There was no previous involvement with Allegheny County Children, Youth and Families.

Compliance with Statutes and Regulations

The review did not identify compliance issues with statutes and regulations. Allegheny County Children, Youth and Families conducted all reviews as required.

County Recommendations for changes at the Local (County or State) Levels as identified by way of County's Near Fatality Report:

No recommendations for change provided.

Findings and Recommendations

After reviewing the case record and interviewing stakeholders, the Western Regional Office of Children, Youth and Families has concluded Allegheny County Children, Youth and Families followed appropriate protocol in regards to the investigation of the aforementioned referral.

At the time of this report, [REDACTED]
Additionally, the investigation remains open with the Penn Hills Police Department. The County agency referred the child for [REDACTED] services.

Program Representative 1

Regional Director

August 17, 2010

Date

