

90-Day Summary Report for Child Death, Serious Injury or Egregious Incident

Reports submitted to the Division of Safety and Permanence (DSP) that do not include all of the required information will be returned to the agency for proper completion. Do not identify individuals by name when completing this report. Individuals may be referenced by relationship or position; e.g., mother, father, child, sibling, physician, detective, etc.

Case Tracking Number: 121201DSP-Oconto-282 **Agency:** Oconto County Department of Health and Human Services

Child Information (at time of incident)

Age: 2 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: Hypoxic-Ischemic Encephalopathy at birth. Child has a feeding tube.

Date of Incident: 12/01/12

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:

On 12/4/12, the agency received a report regarding a 2-year-old child admitted to the hospital because of a broken femur. The child has special needs and is not mobile. Upon further examination, a bone scan indicated an old wrist fracture, in the process of healing. The mother provided several explanations for the child's injuries; however, medical personnel stated none of the explanations were plausible explanations. In addition, this is the second incident involving bone fractures to this child. The child was evaluated by a geneticist to determine if a medical condition exists which could have caused or contributed to the injuries; however, the evaluation found no evidence to support this assertion. The injuries were ruled non-accidental by medical personnel. Law enforcement was contacted to investigate the cause of the injuries. No criminal charges have been filed at this time.

Findings by agency, including maltreatment determination and material circumstances leading to incident:

The agency collaborated with law enforcement and medical personnel to complete the assessment. Physical abuse to the child by an unknown maltreater was substantiated. The child's injuries were determined non-accidental and not caused by any medical condition. The parents were unable to provide a plausible explanation for the injuries to the child. The child and her 7-year-old brother were determined unsafe and placed in out-of-home care. A Child in Need of Protection or Services petition was filed in juvenile court.

- Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom?

Child's residence at the time of incident: In-home Out-of-home care placement

Complete the appropriate following section (A. or B. based on the child's residence at the time of the incident).

A. Children residing at home at the time of the incident:

Description of the child's family (includes household members, noncustodial parent and other children that have visitation with the child and / or in the child's family home):

The child lived with her mother, father, and 7-year-old old brother.

Yes No **Statement of Services:** Were services under ch. 48 or ch. 938 being provided to the child, any member of the child's family or alleged maltreater at the time of the incident, including any referrals received by the agency or reports being investigated at time of incident?

If "Yes", briefly describe the type of services, date(s) of last contact between agency and recipient(s) of those services, and the person(s) receiving those services:

N/A

Summary of all involvement in services as adults under ch. 48 or ch. 938 by child's parents or alleged maltreater in the previous five years: (Does not include the current incident.)

The family received ongoing case management services under a Child in Need of Protection or Services Consent Decree from April 2011 until May 2012. Voluntary services continued until August 2012.

Summary of actions taken by the agency under ch. 48, including any investigation of a report or referrals to services involving the child, any member of the child's family living in this household and the child's parents and alleged maltreater. (Does not include the current incident.)

(Note: Screened out reports listed in this section may include only the date of the report, screening decision, and if a referral to services occurred at Access. Reports that do not constitute a reasonable suspicion of maltreatment or a reason to believe that the child is threatened with harm are not required to be screened in for an initial assessment, and no further action is required by the agency.)

On 10/30/07, the agency screened out a services report. Information was referred to the Sheriff's Department for review.

On 8/13/10, the agency screened in a CPS report. The agency was unable to locate the family and maltreatment was unsubstantiated.

On 4/5/11, the agency screened in a CPS report. Physical abuse by an unknown maltreater was substantiated. The children were removed from the home and the family received ongoing case management services until August 2012.

On 2/16/12, the agency screened out a CPS report.

Summary of any investigation involving the child, any member of the child's family and alleged maltreater conducted under ch. 48 or ch. 938 and any services provided to the child and child's family since the date of the incident:

The agency screened in and assessed the allegation of physical abuse to the child. Physical abuse to the child by an unknown maltreater was substantiated. The child and her 7-year-old brother were determined unsafe and placed in out-of-home care. The agency filed a Child in Need of Protection or Services petition in juvenile court and the family continues to receive ongoing case management services.

B. Children residing in out-of-home (OHC) placement at time of incident:

Description of the OHC placement and basis for decision to place child there:

Description of all other persons residing in the OHC placement home:

Licensing history: Including type of license, duration of license, summary of any violations by licensee or an employee of licensee that constitutes a substantial failure to protect and promote the welfare of the child.

Summary of any actions taken by agency in response to the incident: (Check all that apply.)

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| <input checked="" type="checkbox"/> Screening of Access report | <input type="checkbox"/> Attempted or successful reunification |
| <input type="checkbox"/> Protective plan implemented | <input type="checkbox"/> Referral to services |
| <input checked="" type="checkbox"/> Initial assessment conducted | <input checked="" type="checkbox"/> Transportation assistance |
| <input type="checkbox"/> Safety plan implemented | <input checked="" type="checkbox"/> Collaboration with law enforcement |
| <input checked="" type="checkbox"/> Temporary physical custody of child | <input checked="" type="checkbox"/> Collaboration with medical professionals |
| <input checked="" type="checkbox"/> Petitioned for court order / CHIPS (child in need of protection or services) | <input checked="" type="checkbox"/> Supervised visitation |
| <input checked="" type="checkbox"/> Placement into foster home | <input checked="" type="checkbox"/> Case remains open for services |
| <input checked="" type="checkbox"/> Placement with relatives | <input type="checkbox"/> Case closed by agency |
| <input checked="" type="checkbox"/> Ongoing Services case management | <input type="checkbox"/> Initiated efforts to address or enhance community collaboration on CA/N cases |
| | <input type="checkbox"/> Other (describe): |

FOR DSP COMPLETION ONLY:

Summary of policy or practice changes to address issues identified during the review of the incident:

Under the Child Welfare Disclosure Act (Section 48.981(7)(cr), Stats.), the DSP completes a 90-day review of the agency's practice in each case reported under the Act. In accordance with the DCF memo Series 2010-13, dated December 7, 2010 pertaining to the Child Welfare Case Review Protocol, the DSP completed an on-site review in case #120101DSP-Ocon-282 and prior reports involving the family. The report found: A Child Protective Services (CPS) Report from 2007 was erroneously documented as a Services Report when it should have been documented as a CPS Report and was not screened within 24 hours of its receipt. A CPS Report from 2012 was screened-out in error and not in accordance with the Wisconsin Child Protective Services standards. The 2012 CPS Report indicated a serious injury to the child from physical abuse but the Serious Incident Notification was not sent by the agency within two business days in accordance with statutory requirements. The Initial Assessment completed in 2010, the same-day response time was not met by the agency, the assessment lacked sufficient information and analysis upon which to make determinations about child safety, efforts to locate the family were not sufficient, and collateral sources of information were either not contacted or not documented. The Initial Assessments completed in 2011 contains no electronic documentation children were physically observed and/or interviewed, a safety determination was made erroneously, and no notification was sent to the mandated reporter. The 2012 Initial Assessment found a safety determination was made erroneously at the conclusion of the assessment and not in accordance with the Wisconsin Child Protective Services Safety Intervention Standards.

Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues:

None

- Yes No Not Applicable This 90-day summary report completes the Division of Safety and Permanence (DSP) review of this case.

If the case review was not completed within 90 days, the DSP will complete and submit the final summary report within 6 months.

The agency must submit an electronic copy of the completed 90-Day Summary Report to RobertB.Williams@wisconsin.gov