

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: 121110DSP-Milw-266 Agency: Bureau of Milwaukee Child Welfare

Child Information (at time of incident)

Age: 7 months Gender: Female Male

Race or Ethnicity: African American

Special Needs: Premature birth, fed via G-tube

Date of Incident: 11/10/12

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

On 11/13/12, the agency received a report regarding a 7-month-old child who had been admitted to the hospital on 11/10/12 with suspicious injuries. Medical professionals stated that the child had a spiral/oblique fracture to the right mid-shaft femur. He also had healing fractures in his shoulders, which were determined to be between 5 days and 6 weeks old. The child and his twin sister were residing in a treatment foster home at the time of the incident. The foster mother stated that on the morning of 11/10/12, she found the child in the crib with his leg wedged between the crib mattress and the crib rail. The foster mother said the child appeared to be in distress and she had to "yank" him free of the crib. The foster mother reported that he seemed to be free from injury at the time, but later that morning the child's leg seemed to be causing him pain, so she took him to the hospital. According to medical professionals, the type of leg injury the child received would have been caused by an adult recklessly or carelessly using excessive force while handling the child. The foster mother was unable to provide any explanation for the injuries to the child's shoulders. The child's twin sister was examined and found to be free from injury. The foster mother was arrested but was later released and no criminal charges were filed.

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

The agency screened in and assessed the allegations of physical abuse to the 7-month-old child by the foster mother. Physical abuse to the child by the foster mother was substantiated. The medical examination showed that the injury the baby received would have been the result of his care provider knowingly handling him in a reckless or careless manner. As a result of the substantiation, the child and his twin sister were placed together in another treatment foster home. The child and his family continue to receive ongoing case management services.

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):

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:

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.)

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.)

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:

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:

The child and his twin sister were born cocaine positive at 23 weeks gestation and were hospitalized after birth for several months due to their special needs. Because of significant concerns regarding the mother's ability to appropriately meet their medical needs, both children were placed in a treatment foster home upon discharge from the hospital, and remained in the home until the time of the incident. The foster mother received training on g-tube feeding for the child and on the general care needs of the children prior to their release to her care. During the time the children were placed in the home, none of the parties involved with the case voiced concerns about the level of care the foster mother provided.

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

The child was placed with his 7-month-old twin sister in the treatment foster home. The home consisted of the foster mother, her 17-year-old daughter and her 15-year-old daughter.

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.

The foster mother was licensed as a treatment foster home in October 2007 and continued to hold a treatment foster care license at the time of the incident. Prior to this incident, there had been no concerns regarding the level of care the foster mother provided to the special needs children placed in her home. An independent agency conducted an investigation of this home as a result of the current incident and substantiated physical abuse to the child by the foster parent. The foster parent's license was revoked as a result of the physical abuse substantiation.

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

- | | |
|---|--|
| <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 type="checkbox"/> Transportation assistance |
| <input type="checkbox"/> Safety plan implemented | <input checked="" type="checkbox"/> Collaboration with law enforcement |
| <input type="checkbox"/> Temporary physical custody of child | <input checked="" type="checkbox"/> Collaboration with medical professionals |
| <input type="checkbox"/> Petitioned for court order / CHIPS (child in need of protection or services) | <input type="checkbox"/> Supervised visitation |
| <input checked="" type="checkbox"/> Placement into foster home | <input checked="" type="checkbox"/> Case remains open for services |
| <input 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 Bureau of Performance Management will complete an on-site review in case #121110DSP-Milw-266.

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 Tara.Muender@wisconsin.gov