

CHILD WELFARE AGENCY PUBLIC DISCLOSURE FORM

Date: 12/18/2018

Agency Name: Washoe County Human

Services Agency

Agency Address: 350 South Center

Street Reno NV

Date of written notification to the Division of Child and Family Services and Legislative

Auditor: 11/19/18

Internal reference UNITY ID or Report Number: case # 1431872

Type of Report:

48 Hour Notice  15 Day Update  30

Day Update  Final

Date of Death: 11/16/2018

Child Fatality

Near Fatality

Date of Near Fatality:

Portions of information on this form have been withheld at the request of (Name of agency) law enforcement.

Information for Release:

A. Date of the notification to the child welfare agency of the death of a child: 11/16/2018

B. Location of child at the time of death or near fatality (city/county): Sparks Nevada  
Washoe County

C. A summary of the report of abuse or neglect and a factual description of the contents of the report: On 11/16/18 the infant was found unresponsive on the couch. The child was declared deceased when emergency personnel arrived at the residence. The circumstances that caused the death of the child are unknown and are being investigated.

D. The date of birth and gender of child: DOB 9/15/18; male

E. The date that the child suffered the fatality or near fatality: 11/16/2018

F. The cause of the fatality or near fatality, if such information has been determined:  
The Autopsy is pending.

G. Whether the agency had any contact with the child or a member of the child's family or household before the fatality or near fatality and, if so:

The agency had no other contact with this child. The agency received a report on 7/16/17 of an unexplained bruise of a half-sibling which was coded as Information Only.

**H. Whether the agency which provides child welfare services, in response to the fatality or near fatality:**

There are no new updates regarding this case. Washoe County Human Services Agency and Law Enforcement are conducting a joint investigation. The other child has been deemed safe. Grief and loss referrals will be provided.

NON-DISCLOSURE NOTICE

The following information must not be released (see Policy on Public Disclosure of Child Fatality and Near Fatality Information, page 4): 1) Information regarding the sibling(s) of a deceased child; 2) the name of the reporting party or individual making an allegation or referral will not be released; 3) if the disclosure of the information would adversely affect any pending investigation concerning a report (NRS 432B.290(3)); 4) if the disclosure violates other federal or state law, including, but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Family Educational and Privacy Act of 1974 (FERPA), alcohol and drug abuse patient records (42 USC §290dd-2 and 42 CFR §212 (c)(6)), and any other applicable law.

## ATTACHMENT

### Administration on Families and Children, Child Welfare Policy Manual, CAPTA, Section 2 excerpt, March 16, 2006:

#### 2.1A.4 CAPTA, Assurances and Requirements, Access to Child Abuse and Neglect Information, Public disclosure

**1. Question:** The CAPTA amendments at section 106 (b)(2)(vi) require States to provide for the public disclosure of findings or information about a case of child abuse or neglect which results in a child fatality or near fatality. For the purposes of this requirement, what is considered a "near fatality"?

**Answer:** A "near fatality" is defined under section 106 (b)(4)(A) as "...an act that, as certified by a physician, places the child in serious or critical condition." For example, if hospital records reflect that the child's condition is "serious" or "critical", this would be considered a "near fatality" under CAPTA.

- **Source/Date:** ACYF-NCCAN-PIQ-97-01 (3/4/97) (updated 2/3/05)
- **Legal and Related References:** Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.) - section 106

**2. Question:** The requirement for public disclosure states that "findings or information" about a case must be disclosed. Does this mean that States have the option to disclose either the findings of the case, or information which may be general in nature and address such things as practice issues rather than provide case-specific information?

**Answer:** No. The intent of this provision was to assure that the public is informed about cases of child abuse or neglect which result in the death or near death of a child. As with the use of the other "or's" in this provision ("child abuse or neglect" and "child fatality or near fatality"), we understand the language to be inclusive and not limiting.

Specifically, the reference to "findings or information" requires the disclosure of information about such a case even if there are no findings. Thus, when child abuse or neglect results in the death or near death of a child, the State must provide for the disclosure of the available facts. However, nothing in this provision should be interpreted to require disclosure of information which would jeopardize a criminal investigation or proceeding.

- **Source/Date:** ACYF-NCCAN-PIQ-97-01 (3/4/97) (updated 2/3/05)
- **Legal and Related References:** Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.) - section 106