

CHILD WELFARE AGENCY PUBLIC DISCLOSURE FORM

Date: 7-11-18

Agency Name: Washoe County Human Services Agency

Agency Address: P.O. Box 11130, Reno, NV 89520

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

Auditor: 1-25-18

Internal reference Report Number: 1770664

Type of Report: ☐ 48 Hour Notice ☐ 15 Day Update ☐ 30 Day Update ☒ Final

☒ Child Fatality **Date of Death:** 1-24-18

☐ Near Fatality **Date of Near Fatality**

☐ Portions of information on this form have been withheld at the request of _____ law enforcement.

(Name of agency)

Information for Release:

A. Date of the notification to the child welfare agency of the death of a child:

WCHSA was notified of this Fatality on 1-24-18

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

Sparks/Washoe

C. A summary of the report of abuse or neglect and a factual description of the contents of the report:

Infant found not breathing at home by father and transported to a local hospital by Remsa. Report indicates prior hospitalization for breathing problems. Law enforcement and CPS were dispatched to the home to initiate a joint investigation. Infant pronounced deceased at the hospital.

D. The date of birth and gender of child:

04-30-2017; male

E. The date that the child suffered the fatality or near fatality:

1-24-18

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

The cause of death is reported to be "Complications of Influenza B" and the manner of death is "Natural."

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:

- (1) The frequency of any contact or communication with the child or a member of the child's family or household before the fatality or near fatality and the date on which the last contact or communication occurred before the fatality or near fatality;
- (2) Whether the agency which provides child welfare services provided any child welfare services to the child or to a member of the child's family or household before or at the time of the fatality or near fatality;
- (3) Whether the agency which provides child welfare services made any referrals for child welfare services for the child or for a member of the child's family or household before or at the time of the fatality or near fatality;
- (4) Whether the agency which provides child welfare services took any other actions concerning the welfare of the child before or at the time of the fatality or near fatality; and
- (5) A summary of the status of the child's case at the time of the fatality or near fatality, including, without limitation, whether the child's case was closed by the agency which provides child welfare services before the fatality or near fatality and, if so, the reasons that the case was closed.

The family has no prior CPS history with the Washoe County Human Services Agency. However, does have extensive history in the DCFS jurisdiction and one report in Clark County. The history is as follows:

On 3/8/2004 a report received by DCFS with allegations of a dirty home, no food in the home and possible parental drug use. The report was unsubstantiated.

On 8/2/2004 a report was received by DCFS with allegations the mother was threatening suicide due to recently relapsing and checked herself into an inpatient behavioral health program. Law enforcement officers responded to the home to conduct a welfare check where they found the 4 year old and 7 year old children unsupervised, as all adults in the home were sleeping. The home was in such disarray as to jeopardize the safety and welfare of the children and they were placed into protective custody by officers. This report was unsubstantiated.

On 8/23/2004 a report was received from the law enforcement with allegations of inadequate supervision and a dirty home. The children, ages 4 and 7 years, were placed back into foster care on 8/23/2004 due to the condition of the home and lack of supervision. This report was substantiated for lack of supervision.

On 8/1/2006 a report was received alleging physical abuse of the 2 year old by the mother, due to bruising on his bottom. The mother had unsupervised visit with the child and admitted to spanking him on the bottom leaving bruising. This report was substantiated for physical abuse by the mother on the 2 year old.

On 8/23/2006 a report was received alleging physical abuse of the 6 year old due to bruising on her arms. Mother had unsupervised visit with the child and was reported to have grabbed the child on the upper arms while brushing her hair leaving bruising. This report was unsubstantiated.

On 11/28/2006 a report was made to DCFS alleging that the 3 year old had a long bruise on his bottom. She indicated that the child had been at the paternal grandparent's home with the father two days prior and she had just noticed. UNITY does not contain documentation concerning the circumstances of this report but it is listed as unsubstantiated.

On 12/19/06 another report was received alleging that the 6 year old had a circle bruise on her cheek and when asked what happened she stated she was too scared to say. Both children, ages 9 and 6, were reported to have been crying the morning of the report. This report was unsubstantiated.

On 2/24/09 a report was received by DCFS alleging neglect due to the filthy condition of the home, no food in the home and the child was not groomed well. There was also an allegation that the mother and father are former drug users and may have started using again. The report was investigated and unsubstantiated.

On 9/23/13 a report was received by DCFS alleging parental drug use, lack of supervision and physical abuse. The case was assigned for Differential Response

On 11/27/13 a report was received by DCFS alleging parental drug abuse and inadequate supervision. This report was coded as information only.

On 12/2/2013 a report was received alleging parental drug abuse and inadequate supervision. The case was opened for investigation. On 2/2/2014 DCFS unsubstantiated the report dated 12/2/2013 due having insufficient evidence to support allegations of negligent treatment and inadequate supervision. The case was opened for voluntary services at this time.

On 3/6/2014 a report was received by DCFS alleging the mother was using drugs and was not providing appropriate care and supervision to the children. The responding worker found no present danger on 3/6/14 and the report was subsequently unsubstantiated.

On 3/11/14 a report was received by DCFS alleging the mother was having a “mental breakdown” after snorting an unknown substance, smoking marijuana and taking Xanax. The allegations included inadequate supervision and physical risk. At that time the children, ages 16, 13 and 10 were taken into protective custody and placed in foster care. The 10 year old was subsequently placed home with his father on 4/5/14. This report was substantiated as to the mother for inadequate supervision and physical risk.

On 3/14/14 another report was received by DCFS alleging that the 16 year old stated to the reported party that he walked in on the mother doing crystal meth. This report was coded as information only due to the current investigation of the incident.

On 8/5/14 a report was received by DCFS alleging domestic violence between the mother and her husband and drug use by the mother. This report was coded as information only as the children were in the custody of DCFS at the time.

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

near fatality: (1) Has provided or intends to provide child welfare services to the child or to a member of the child’s family or household; and (2) Has made or intends to make a referral for child welfare services for the child or for a member of the child’s family or household; and (3) Has taken or intends to take any other action concerning the welfare and safety of the child or any member of the child’s family or household.

WCHSA has concluded a joint investigation with law enforcement. The surviving 2 year old sibling has been assessed as unsafe with the caregivers and is currently placed in the legal and physical custody of WCHSA. Grief and loss referrals were provided to the family.

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