



Report Identification Number: NY-23-055

Prepared by: New York State Office of Children & Family Services

Issue Date: Nov 13, 2023

This report, prepared pursuant to section 20(5) of the Social Services Law (SSL), concerns:

- A report made to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) involving the death of a child.
- The death of a child for whom child protective services had an open investigation or a CPS monitored services case.
- The death of a child whose care and custody or custody and guardianship has been transferred to an authorized agency.
- The death of a child for whom the local department of social services has an open preventive service case.

The Office of Children and Family Services (OCFS) is mandated by section 20 of the SSL to investigate or cause for the investigation of the cause and circumstances surrounding the death, review such investigation, and prepare and issue a fatality report in regard to the categories of deaths noted above involving a child, except where a local or regional fatality review team issues a report, as authorized by law.

Such report must include: the cause of death; the identification of child protective or other services provided or actions taken regard to such child and child’s family; any extraordinary or pertinent information concerning the circumstances of the child’s death; whether the child or the child’s family received assistance, care or services from the social services district prior to the child’s death; any action or further investigation undertaken by OCFS or the social services district since the child’s death; and as appropriate, recommendations for local or state administrative or policy changes.

This report contains no information that would identify the deceased child, his or her siblings, the parent, parents, or other persons legally responsible for the child, and any members of the deceased child’s household.

By statute, this report will be forwarded to the social services district, chief county executive officer, chairperson of the local legislative body of the county where the child died and the social services district that had legal custody of the child, if different. Notice of the issuance of this report will be sent to the Speaker of the Assembly and the Temporary President of the Senate of the State of New York.

This report may **only** be disclosed to the public by OCFS pursuant to section 20(5) of the SSL. **It may be released by OCFS only after OCFS has determined that such disclosure is not contrary to the best interests of the deceased child’s siblings or other children in the household.**

OCFS’ review included an examination of actions taken by individual caseworkers and supervisors within the social services district and agencies under contract with the social services district. The observations and recommendations contained in this report reflect OCFS’ assessment and the performance of these agencies.



Abbreviations

Relationships		
BM-Biological Mother	SM-Subject Mother	SC-Subject Child
BF-Biological Father	SF-Subject Father	OC-Other Child
MGM-Maternal Grand Mother	MGF-Maternal Grand Father	FF-Foster Father
PGM-Paternal Grand Mother	PGF-Paternal Grand Father	DCP-Day Care Provider
MGGM-Maternal Great Grand Mother	MGGF-Maternal Great Grand Father	PGGF-Paternal Great Grand Father
PGGM-Paternal Great Grand Mother	MA/MU-Maternal Aunt/Maternal Uncle	PA/PU-Paternal Aunt/Paternal Uncle
FM-Foster Mother	SS-Surviving Sibling	PS-Parent Sub
CH/CHN-Child/Children	OA-Other Adult	
Contacts		
LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPS-Child Protective Services	DA-District Attorney	
Allegations		
FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	LMC-Lack of Medical Care	EdN-Educational Neglect
EN-Emotional Neglect	SA-Sexual Abuse	M/FTTH-Malnutrition/Failure-to-thrive
IF/C/S-Inadequate Food/ Clothing/ Shelter	IG-Inadequate Guardianship	LS-Lack of Supervision
Ab-Abandonment	OTH/COI-Other	SXTF-Sex Trafficking
Miscellaneous		
IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	COS-Court Ordered Services
OP-Order of Protection	RAP-Risk Assessment Profile	FASP-Family Assessment Plan
FAR-Family Assessment Response	Hx-History	Tx-Treatment
CAC-Child Advocacy Center	PIP-Program Improvement Plan	yo- year(s) old
CPR-Cardiopulmonary Resuscitation		



Case Information

Report Type: Child Deceased
Age: 14 year(s)

Jurisdiction: Bronx
Gender: Female

Date of Death: 05/27/2023
Initial Date OCFS Notified: 05/27/2023

Presenting Information

On 5/27/2023, The New York City Administration for Children's Services (ACS) learned of the death of the 14-year-old subject child which occurred that day. The subject child had been hospitalized since February 2023 due to complex medical issues. The subject child suffered a brain-bleed on 5/25/2023 and was placed into a medically induced coma. An emergency surgery was scheduled; however, the subject child died prior to the surgery. At the time of the death, there was an ongoing CPS investigation regarding concerns for medical neglect against the mother. The death was reported to the SCR; however, the resulting SCR report was an Additional Information report. As such, there was no SCR-reported fatality investigation.

Executive Summary

This report concerns the death of the 14-year-old subject child which occurred on 5/27/2023. The subject child had been hospitalized in January 2023 and remained in the hospital until her death. The subject child was in the custody of the father and had only supervised contact with the mother. There were no siblings or other children residing with the mother or father.

In late 2022, the subject child underwent a medical procedure for a long-term medical condition and was discharged home to the mother. The subject child was hospitalized in February of 2023 due to complications related to the medical procedure. While the subject child was hospitalized, there were concerns for the mother's medical decision making and hostile behaviors toward medical staff. The subject child remained hospitalized due to her fragile medical state. While hospitalized, the subject child fell and suffered a brain bleed on 5/25/2023. The subject child was placed in a medically induced coma due to the brain bleed and was in critical condition. An emergency surgery was performed on 5/26/2023; however, the subject child's condition did not improve, and she died on 5/27/2023.

The subject child's death was reported to the SCR which resulted in an Additional Information report only. As such, there were no allegations to be determined regarding the death. There was an investigation opened on 4/06/2023 which remained open at the time of death regarding concerns the mother was not following medical advice, not properly administering the subject child's medication, and was physically combative with hospital staff. The previously open investigation was indicated, and the allegations of Lack of Medical Care and Inadequate Guardianship were substantiated against the mother.

ACS referred the mother and father to bereavement services and offered burial assistances; however, it was unknown if those services were utilized by the parents.

Findings Related to the CPS Investigation of the Fatality

Safety Assessment:

- Was sufficient information gathered to make the decision recorded on the:
 - Safety assessment due at the time of determination? N/A

**Determination:**

- Was sufficient information gathered to make determination(s) for all allegations N/A as well as any others identified in the course of the investigation?
- Was the determination made by the district to unfound or indicate appropriate? N/A

Was the decision to close the case appropriate? N/A

Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements? Yes

Was there sufficient documentation of supervisory consultation? Yes, the case record has detail of the consultation.

Explain:

The fatality was not SCR reported; as such there were no allegations to determine.

Required Actions Related to the Fatality

Are there Required Actions related to the compliance issue(s)? Yes No

Fatality-Related Information and Investigative Activities**Incident Information**

Date of Death: 05/27/2023

Time of Death: Unknown

Date of fatal incident, if different than date of death: 05/25/2023

Time of fatal incident, if different than time of death: Unknown

County where fatality incident occurred: Bronx

Was 911 or local emergency number called? No

Did EMS respond to the scene? No

At time of incident leading to death, had child used and/or ingested alcohol or drugs? No

Child's activity at time of incident:

- Sleeping
- Working
- Driving / Vehicle occupant
- Playing
- Eating
- Unknown
- Other: Hospitalized

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
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Child Fatality Report

Deceased Child's Household	Deceased Child	No Role	Female	14 Year(s)
Deceased Child's Household	Father	No Role	Male	40 Year(s)
Other Household 1	Mother	No Role	Female	41 Year(s)

LDSS Response

On 5/27/2023, ACS learned of the death of the subject child during a telephone call with hospital staff. ACS notified OCFS of the death and completed the required 7065 Reporting Form.

ACS gathered information from hospital staff and learned the subject child had fallen and suffered a brain bleed on 5/25/2023. The subject child was in critical condition and was placed in a medically induced coma. The subject child underwent emergency surgery on 5/26/2023; however, died due to complications from the brain bleed on 5/27/2023.

ACS learned, through the investigation open at the time of the death, the father had been awarded primary legal custody of the subject child and the mother was barred from making medical decisions on 4/14/2023. Hospital staff noted the father had been cooperative and receptive to all medical recommendations.

Official Manner and Cause of Death

Official Manner: Unknown
Primary Cause of Death: Unknown
Person Declaring Official Manner and Cause of Death: Unknown

Multidisciplinary Investigation/Review

Was the fatality referred to an OCFS approved Child Fatality Review Team?No

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to
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				Determine
Were there any surviving siblings or other children in the household?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Legal Activity Related to the Fatality

Was there legal activity as a result of the fatality investigation? There was no legal activity.

Have any Orders of Protection been issued? No

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parenting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alcohol/Substance abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intensive case management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Were services provided to parent(s) and other care givers to address any immediate needs related to the fatality? Yes

Explain:

The mother and fathered were referred to bereavement counseling and offered burial assistance; however, it was



unknown if those services were utilized.

History Prior to the Fatality

Child Information

Did the child have a history of alleged child abuse/maltreatment? Yes

Was the child acutely ill during the two weeks before death? Yes

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
04/06/2023	Deceased Child, Female, 13 Years	Mother, Female, 41 Years	Inadequate Guardianship	Substantiated	No
	Deceased Child, Female, 13 Years	Mother, Female, 41 Years	Lack of Medical Care	Substantiated	

Report Summary:
 An SCR report alleged the then 13-year-old subject child had a significant medical diagnosis. The subject child had a lengthy previous inpatient stay at the hospital due to a medical procedure and was readmitted to the hospital on 2/2/2023, where she remained when the SCR report was received. There were concerns for the mother's mental health negatively impacting the subject child's health outcomes. The mother was physically combative with staff and interfered with the subject child's medication and treatment on multiple occasions.

Report Determination: Indicated **Date of Determination:** 06/05/2023

Basis for Determination:
 The allegations of Inadequate Guardianship and Lack of Medical Care were substantiated against the mother regarding the subject child. The Investigation Conclusion Narrative noted an Article 10 neglect petition was filed against the mother due to her unwillingness or inability to consent to needed medical care for the subject child and a concern the mother would not follow further medical treatment plan recommendations.

OCFS Review Results:
 ACS conducted an investigation that met regulatory guidelines. An Article 10 Neglect Petition was filed due to concerns the mother was not following medical recommendations for the subject child. The subject child was placed in the legal custody of the father and the mother was referred to services including mental health and substance abuse treatment. Contacts were made with the family and pertinent collaterals. The allegations were determined in congruence with the information gathered.

Are there Required Actions related to the compliance issue(s)? Yes No

CPS - Investigative History More Than Three Years Prior to the Fatality

An SCR report dated 5/25/2009 alleged the mother and subject child had a positive toxicology for marijuana at the time of the child's birth. The mother admitted to regular marijuana use during her pregnancy. The allegation of Parent's Drug / Alcohol Misuse was substantiated against the mother regarding the subject child.

Known CPS History Outside of NYS



There was no known CPS history outside of NYS.

Preventive Services History

A Family Services Stage was opened on 8/17/2009. The mother had been the subject of an indicated CPS investigation regarding concerns she had used marijuana during her pregnancy with the subject child. The subject child and mother were positive for marijuana at the time of the child's birth. Unrelated to the concerns for marijuana use, the subject child was born premature and with significant medical issues which required her to be hospitalized for about 5 months. ACS recommended preventive services and the mother agreed to such. The mother engaged with substance abuse treatment, sought housing services for herself and the subject child, and cooperated with all medical appointments for the subject child. During the summer of 2010, the mother stopped complying with substance abuse treatment regulations and was discharged from the program. The mother declined to seek another substance abuse evaluation and requested that the preventive services case be closed. The services case was closed 12/08/2010.

A Family Services Stage (FSS) was opened 4/13/2023 for the purposes of conducting an Initial Child Safety Conference. The safety conference was documented in the progress notes of the FSS; however, the progress notes reflect no further contact with, or services provided to, the family. The FSS remained open until 6/30/2023, when it was closed with no FASPs completed.

Legal History Within Three Years Prior to the Fatality

Was there any legal activity within three years prior to the fatality investigation?

Family Court

Criminal Court

Order of Protection

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
04/14/2023	There was not a fact finding	Direct Custody to/or Continued with Relative (Article 10)
Respondent:	065173 Mother Female 41 Year(s)	
Comments:	An Article 10 Neglect Petition was filed against the mother due to concerns of medical neglect. The subject child was placed in the custody of her father with ACS supervision. The mother was barred from unsupervised contact with the subject child and barred from medical decision making for the subject child.	

Have any Orders of Protection been issued? Yes

From: 04/14/2023

To: Unknown

Explain:

An Order of Protection was issued against the mother barring her from unsupervised contact with the subject child.

Recommended Action(s)

Are there any recommended actions for local or state administrative or policy changes? Yes No



Are there any recommended prevention activities resulting from the review? Yes No