

Child Fatality and Near Fatality External Review Panel
Kentucky Coalition Against Domestic Violence
111 Darby Shire Circle
Frankfort, KY 40601

Monday, October 15, 2018

MINUTES

Members Present: Judge Roger Crittenden, Chair; Representative Addia Wuchner; Joel Griffith, Prevent Child Abuse Kentucky; Deputy Commissioner Elizabeth Caywood, Department for Community Based Services, Cabinet for Health and Family Services (CHFS); Dr. Melissa Currie, University of Louisville Pediatric Forensic Medicine; Dr. Jaime Pittenger, University of Kentucky School of Medicine; Dr. William Ralston, State Medical Examiner; Linnea Caldon, Citizen Foster Care Review Board; Shawna Kelly-Blair, CASA of Eastern Kentucky; Lieutenant Scott Lengle, Kentucky State Police; Steve Shannon, KARP, Inc.; Angela Brown, State Child Fatality Review Team, CHFS; Sharon Currens, Kentucky Coalition Against Domestic Violence; Betty Pennington, Family Resource and Youth Service Centers, CHFS and Judge Paula Sherlock, retired Jefferson Family Court

Welcome:

Judge Roger Crittenden

Judge Crittenden welcomed panel members and staff to the meeting. A special thanks to those members who participated at the LRC presentation last month on behalf of the panel. The Panel approved the minutes from the September meeting.

Special Meeting:

The panel agreed to hold a special two-day meeting on November 19th and 20th at the Kentucky Coalition Against Domestic Violence to review the remaining cases for SFY 2017. Two additional cases have been included for today's review. The panel has approximately 63 cases pending review to complete the yearly data.

There was a brief discussion regarding expedited reviews and the triage system. Timelines will not be available for those cases under expedited reviews. However, panel members may request a timeline or any additional information necessary for a comprehensive review. The expedited reviews include prior history with DCBS, household information, law enforcement, contributing risk, categorization, other qualifiers and panel determinations. If the case is particularly complex the entire data tool will be completed.

Recommendation Chart:

A recommendation chart was included in the panel's packet of information. The chart details the prior recommendations made by the panel and the progress of that recommendation. The chart will be reviewed in-depth at the November meeting. Staff will start a draft of the annual report.

The panel will send a letter to the statutorily required recipients of the annual report and advise them the report will be completed by February 1, 2019.

Case Review:

The following cases were reviewed by the Panel. A case summary of findings and recommendations are attached and made a part of these minutes.

<u>Group</u>	<u>Case #</u>	<u>Analyst</u>
1	F-004-17-C	Emily Neal
2	NF-018-17-C	Emily Neal
3	F-023-17-C	Cindy Curtsinger
4	NF-094-17-C	Emily Neal
1	NF-063-17-C	Cindy Curtsinger
2	NF-055-17-C	Emily Neal
3	NF-019-17-C	Cindy Curtsinger
4	F-002-17-C	Emily Neal
1	NF-072-17-NC	Emily Neal
2	NF-076-17-NC	Cindy Curtsinger
3	F-013-17-C	Emily Neal
4	F-021-17-C	Cindy Curtsinger
4	F-022-17-C	Cindy Curtsinger

Meeting adjourned

Items needing further study:

(Ongoing List)

- 1. Tenure Data.** The Panel would like to review tenure and caseload data from DCBS for FY17 cases.
- 2. DCBS Safe Sleep policy.** The Panel has noted DCBS does not routinely substantiate neglect against caregivers for sleeping with their children. Further discussion is needed regarding DCBS relying on the medical examiners' to determine fault.
- 3. Overwhelmed caregivers.** Additional resources need to be provided to relative and fictive kin caregivers.
- 4. Egregious Court Orders.** Further discussion is needed regarding remedies for court ordered placements that were not the recommendation of the Cabinet. Engaging in better partnerships with the court appointed GAL's for joint recommendations.
- 5. KASPER access for DCBS during investigations.** DCBS has limited access and they have to rely on other agencies to obtain that information. DCBS would like to have the legal ability to access KASPER for home placements and evaluations.
- 6. DCBS Policy issue.** Anytime a fatal or near fatal event has a screened out referral, there should be an internal review for quality assurance.

7. **Collect data on homeschooling of children known to the child welfare agency.** Case reviews revealed parent(s) removing children from school upon reports to DCBS by the school regarding possible abuse by the parent(s).
8. **Interstate collaboration.** Case reviews demonstrated a need for better interstate collaboration and communication.
9. **Fire Arm Safety.** Track issue to determine whether recommendation(s) needed.
10. **Medically Assisted Treatment.** Determine issues surrounding patient waivers, safety coaching by providers to patients, and other issues associated when treating patients with young children. Possible legislation to provide more counseling to families struggling with addiction.
11. **Tracking data on Criminal Diversion Programs used in child abuse cases.** Further study needs to be done to determine if allowing diversion programs in child abuse cases creates a loop hole in preventing further abuse.
12. **CAPTA appeals overturning the DCBS' findings of neglect or abuse.** More than half of the Department's findings of abuse and neglect get overturned during a CAPTA hearing. Further study needs to be done on the CAPTA process.
13. **Private Foster Care Providers.** Track issue to determine whether further recommendations are needed. Follow up on foster parent registry.
14. **Coroner Issues.** The Panel will start tracking which county coroner fails to notify the proper agencies and fails to complete the forms. Perhaps reaching out to the county attorneys could help facilitate coroners' cooperation.