

Child Fatality and Near Fatality External Review Panel

Virtual Meeting

Tuesday, October 13, 2020

MINUTES

Members Present: Hon. Melissa Moore Murphy, Chair; Commissioner Marta Miranda-Straub, Department for Community Based Services, CHFS; Hon. Dawn Blair, Assistant Hardin County Attorney; Dr. Jaime Pittenger, Prevent Child Abuse Kentucky; Dr. Henrietta Bada, Department of Public Health, CHFS; Steve Shannon, Executive Director, KARP; Janice Bright, RN, State Child Fatality Review Team; Angela Yannelli, Executive Director, Kentucky Coalition Against Domestic Violence; Dr. Melissa Currie, Chief, Norton Children's Pediatric Protection Specialist, University of Louisville; Linnea Caldon, Citizen Foster Care Review Board, Lori Aldridge, Executive Director, Tri County CASA; Betty Pennington, Family Resource and Youth Service Center; Dr. William Ralston, Chief Medical Examiner; and Detective Jason Merlo, Kentucky State Police

Welcome:

Hon. Melissa Moore Murphy, Chair

Judge Murphy welcomed everyone to the meeting. Panel members discussed meeting dates for calendar year 2021. The Panel decided to continue virtual meetings every 3rd Tuesday, from 12:30 p.m. till 4:00 p.m. or until business is completed. Meeting dates for 2021 will be:

- January 19th
- February 16th
- March 16th
- April 20th
- May 18th
- June 15th
- July 20th
- August 17th
- September 21st
- October 19th
- November 16th
- December 21st

Judge Murphy advised the panel that there had been some interest in amending the statute, KRS 620.055, during the upcoming session. As in previous years, panel members expressed the desire to move their annual report deadline to February 1st. Panel discussed adding various additional representatives; such as a MAT provider, a representative from the Pharmacy Association, a representative from the Department of Education and additional legislative members from the Child Welfare Oversight Committee.

KSPAN Update

Joel Griffith, JPSC

Joel advised the panel he recently did a presentation to KSPAN's executive committee regarding last years' recommendations pertaining to overdose/ingestion cases and unintentional firearm injuries. As a result of that presentation, the committee added a strategy under their strategic plan that focuses on in-home pediatric injuries. They've formed a subcommittee, which Joel will lead, that will focus on potential partners and data sharing opportunities. They will then focus on research and implementing evidence based strategies to prevent these types of in-home pediatric injuries. UK's emergency department and their Pediatric Forensic unit, currently has a program where they distribute lock boxes to families when a child is admitted as a result of an overdose and/or ingestion. The committee would explore expanding additional programs such as these. KIPRC and KSPAN received a small amount of funding, approximately \$10,000, from the CDC that may cover the cost of lock boxes and trigger locks. Dr. Howard has expressed interest in assisting with this initiative and all panel members are invited to join. Dr. Bada informed Joel that Public Health should be involved with this initiative, as they can assist with distributing the information on the community level.

Data Update – 2020 Recommendations

Elisha Mahoney, JPSC

After this meeting, the panel will have 39 cases remaining to complete the FY19 data. Preliminary data shows the top categories to be; neglect (86), physical abuse (35), abusive head trauma (29), overdose/ingestion (21), drowning/near drowning (10) and SUDI cases (12). SUDI cases reviewed by the panel are up compared to the number of cases reviewed last year. Dr. Currie noted the panel only sees a fraction of the actual SUDI cases across the Commonwealth.

Recommendations the panel has discussed over the last year include:

- Mental Health Treatment – Kentucky needs to focus on removing the stigma related to mental health and expanded treatment options.
- Statutory/policy changes
 - Kratom – should Kentucky make this a regulated substance
 - Update Coroner statute – change timely notification to CPS to immediate notification in order to obtain information about the family – mandating the local child fatality review teams
 - Drug testing protocol – should this be a law enforcement issue or should CPS change their policy and make it a mandatory request to caregivers when a child suffers a fatal/near fatal injury
 - DVO/EPO Notifications – would giving front line social workers access to Courtnet alleviate the notification barriers or is it AOC's burden to obtain CPS information prior to ruling on DVO/EPO issues
- Psychological autopsies – Kentucky should explore implementing psychological autopsies – additional discussion is required for this recommendation.

Following discussion, panel agreed further exploration is required before making any official recommendations regarding the DVO/EPO notification issue. DCBS supervisors currently have access to Courtnet but they do not have the budgetary needs to provide access to every frontline social worker. Judges in certain districts are currently exploring options to alleviate this issue. The panel will revisit this recommendation next year.

In regards to the drug testing protocol, members expressed they would like to see a statutory mandate for law enforcement to obtain a drug screen at the time of a fatal or near fatal event. DCBS should establish standard protocol to request a voluntary drug screen from the caregiver at the time of the event. DCBS is currently exploring this option. It should be noted, that protocol could be seen as another barrier a worker may face while trying to provide services to that family. DCBS is looking into removing the “investigator” language from their Cabinet. They are social workers and not police officers. DCBS will keep the panel informed on the new policies and procedures.

Panel discussed additional training requirements for law enforcement across the state. A subcommittee of panel members will create a checklist reference for law enforcement officers to utilize when responding to a child death scene. Panel also discussed creating an online web training module.

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>
2	F-024-19-C	Joel Griffith
3	F-027-19-C	Joel Griffith
4	F-029-19-C	Joel Griffith
1	F-030-19-C	Joel Griffith
2	F-033-19-NC	Joel Griffith
3	F-038-19-PH	Joel Griffith
4	F-052-19-PH	Joel Griffith
1	F-055-19-PH	Joel Griffith
2	F-056-19-PH	Joel Griffith
3	F-062-19-PH	Joel Griffith
4	F-072-19-PH	Joel Griffith
1	F-073-19-PH	Joel Griffith
2	F-077-19-PH	Joel Griffith
3	NF-005-19-C	Joel Griffith
4	NF-040-19-C	Joel Griffith
1	NF-041-19-C	Joel Griffith
2	NF-055-19-C	Joel Griffith
3	NF-058-19-C	Joel Griffith
4	NF-062-19-C	Joel Griffith
1	NF-068-19-C	Joel Griffith
2	NF-073-19-C	Joel Griffith
3	NF-075-19-C	Joel Griffith
4	NF-077-19-C	Joel Griffith
1	NF-095-19-C	Joel Griffith
4	NF-064-19-C	Joel Griffith
1	NF-102-19-C	Joel Griffith

Meeting adjourned