

# Child Fatality and Near Fatality External Review Panel Virtual Meeting

Tuesday, March 15, 2022

## MINUTES

**Members Present:** Judge Melissa Moore Murphy, Chair, Lesa Dennis as proxy for Commissioner, Department for Community Based Services, Catherine Frye, State Child Fatality Review Team; Betty Pennington, Family Resource and Youth Service Center; Dr. Christina Howard, Child Abuse Pediatrician, University of Kentucky; Dr. Elizabeth Salt, Citizens Foster Care Review Board; Dr. Jaime Pittenger Kirtley, Prevent Child Abuse Kentucky, Dr. Melissa Currie, Chief, Norton Children's Pediatric Protection Specialist, University of Louisville; Isela Arras, Kentucky Coalition Against Domestic Violence and Steve Shannon, Executive Director, KARP

### **Welcome:**

*Judge Melissa Moore Murphy, Chair*

Judge Murphy welcomed everyone to the meeting and allowed guest to introduce themselves. Judge Murphy asked if everyone had a chance to review the minutes and case summaries. If there are no changes, she'll entertain a motion. Betty Pennington made a motion to accept the minutes and case review summaries and a second by Dr. Christina Howard. With no objections, the minutes and case review summaries stand as submitted.

Due to some technical issues, we do not have a full agenda of cases to review today. Because of this, we are concerned this may put us behind on the case reviews later in the year. Considering the majority of our counties are out of the red status, we are hopeful we can have a full day in-person meeting. We realize April is spring break for a lot of folks, but we were hoping we could do a full day meeting in May or June. Prior to the pandemic we had discussed finding a new location to host our meeting. We can use the multipurpose room at the Fayette Circuit Courthouse for either May or June. Multiple members are not available to meet in-person for the May meeting. Therefore, the panel will plan to meet in-person for a full day meeting on June 21<sup>st</sup> at the Fayette Circuit Courthouse.

Unfortunately, Lori Aldridge could not join us today, but she has volunteered to be our co-chair. As you all know Dawn Blair, now Judge Blair, served as our previous co-chair and can no longer hold her appointment due to her new position. Lori has graciously agreed to serve in this position and met with Elisha and I to discuss the role. If anyone has any objections or wanted to serve in that position, please send me or Elisha an email. If not, Lori will serve as our co-chair, and we are so grateful for her willingness to serve.

### **Case Reviews:**

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-017-21-NC	Cindy Curtsinger
2	F-051-21-C	Cindy Curtsinger
3	NF-042-21-C	Cindy Curtsinger
4	NF-046-21-C	Cindy Curtsinger
1	F-034-21-C	Joel Griffith
2	NF-088-21-C	Cindy Curtsinger
3	NF-143-21-C	Cindy Curtsinger

### **Additional Discussion:**

**Prenatal THC Exposure** – Dr. Currie asked DCBS if there was a policy change regarding THC being considered low risk. Historically, at least in some counties, if a baby is exposed prenatally to THC that would lead to a substantiation and/or removal. Has that policy changed?

Lesa Dennis – We do see those types of cases as lower risk, but I’ll let Melanie speak to the policy piece of that.

Melanie Taylor – Our policies and protocols have not changed regarding substance affected infant; those referrals would still meet criteria. As far as a substantiation, one of the things we look at during the assessment is their parenting ability, their level of impairment from the drug use, history of drug use and any other safety threats. A substantiation of neglect wouldn’t be based on solely a positive drug test.

Dr. Currie mentioned that DCBS should include Safe Sleep practices and ensuring there is a crib in the home when they are creating the prevention plans as a part of the plan of safe care.

**Preventing medical neglect in children with mental health issues** – We’re here to try to prevent these fatalities or near fatalities, so from where we stand right now, what is a recommendation we can make that would prevent this from happening again.

Steve Shannon – From a mental health perspective, is there a screening that could be done upon admission? They evaluate these cases from a mental health perspective. How do you operationalize a recommendation to make sure the physical health needs are captured on a regular basis going forward? That’s going to be the challenge for these mental health facilities going forward.

There was some concern noted as well that the child had not seen a PCP in over a year when they came into care. Therefore, her medical condition was unknown at the time of admittance into the mental health facility. It was further noted, the education system became so concerned with this child’s care they went to the county attorney for assistance.

Dr. Howard – As a panel we should recommend that we need to have strong support for forensic interviewing abilities. Certain CACs can respond urgently in those situations, but they are ones that have

better resources. If we can't have 24 hour access to a CAC, then we need to have a safety net for these children until they can be screened to ensure their safety.

**Meeting adjourned.**