

Child Fatality and Near Fatality External Review Panel Virtual Meeting

Tuesday, April 19, 2022

MINUTES

Members Present: Lori Aldridge, Co-Chair, Executive Director, Tri County CASA, Commissioner Marta Miranda-Straub, Department for Community Based Services, Janice Bright, State Child Fatality Review Team; Betty Pennington, Family Resource and Youth Service Center; 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; Steve Shannon, Executive Director, KARP, Dr. Henrietta Bada, Department for Public Health and Dr. William Ralston, Chief Medical Examiner

Welcome:

Lori Aldridge, Co-Chair

Lori Aldridge welcomed everyone to the meeting and introduced herself as the new co-chair. Unfortunately, Judge Murphy could not be with us today. Lori introduced Shannon Hall, the new Chief of Staff for the Department for Community Based Services. Next item on the agenda is to approve the Minutes and Case Review Summaries from the March meeting. With no changes, Dr. Salt made a motion to approve and that was seconded by Steve Shannon. The minutes and case review summaries from the March meeting stand as submitted.

Reminder to all members, the panel will be hosting an in-person meeting on June 21st at the Fayette County Courthouse in the multipurpose room. Everyone should have received an email from Elisha regarding attendance. We need everyone to let her know if you will be available to attend in order to prepare for catering. If you have not replied to her email, please let her know as soon as possible. So far, she's only heard from two members. There will be an option to attend virtually.

Kids Are Worth It! Conference

The Kids Are Worth It Conference is scheduled to be held in-person this year on September 12th – 13th at the Galt House in Louisville. Historically, the panel has held their September meeting in conjunction with the conference. Currently, our September meeting is scheduled virtually for the 20th. Please let us know if you are interested in canceling the 20th meeting and moving our meeting in conjunction with the conference. Once that decision has been finalized, we will provide additional information on the conference as it becomes available. We may move this agenda item to May due to the low attendance today.

Elisha: Yes, we can move this to May. I will send an email to all members and if everyone could please respond and let me know your preference. We can move the meeting in conjunction with the conference or keep the previously scheduled September 20th date. I will also need to know if members will be attending the conference and seeking reimbursement from the Cabinet. If you are a presenter at the

conference or your agency is paying for the conference fees, we will not cover your fees. However, in the past we have offered payment fees to members who wish to attend for training purposes.

Legislative Update

Unfortunately, I have been out of commission for the past several weeks, so I won't have any answers if there are questions regarding the legislative updates. So, Elisha feel free to jump in and help me out with any questions or concerns. Senate Bill 97 has been signed by the Governor which makes several changes to the panel and implements panel recommendations.

- It changes KRS 620.040 to reflect if law enforcement officers have reasonable grounds to believe any parent or person exercising custodial control or supervision of the child was under the influence of alcohol or drugs they *shall* request a test of blood, breath, or urine from that person. If consent is not given, they shall request to obtain a search warrant.

Dr. Currie requested the final bill be sent to the panel members so they will have the language of the law readily available.

- Changes to KRS 620.055 (panel statute) – Panel membership will now include two members of the Kentucky General Assembly, one appointed by the President of the Senate, one appointed by the Speaker of the House, the President of the Kentucky Coroners Association, and a practicing medication-assisted treatment provider. The panel is now required to file their annual report by February 1st of each year. The panel's recommendations shall determine which agency is responsible for implementing each recommendation and shall forward each recommendation in writing to that appropriate agency. Any agency that receives a recommendation from the panel shall, within 90 days respond with a written intent to implement or provide a notice that they do not intend to implement the recommendation and why. The amendment also includes additional language to protect the confidentiality of the panel's proceedings and records.
- The bill also included changes to the coroner's statute, KRS 72.410, and will now require coroner's to *immediately* report a child's death to their local DCBS, law enforcement, and local health department to determine the existence of relevant information concerning the case.
- House Bill 1, the budget bill, provided the panel with a line-item appropriation of \$420,000 for the Child Fatality and Near Fatality External Review Panel. We would like to thank Senator Carroll for sponsoring SB 97 and continuing to advocate for the work we do and thank all members of the General Assembly for their support. We will be sending an official thank you letter on behalf of the panel.

Elisha: I just want to take a minute to thank Steve Shannon for always being there to present at the last minute and handling everything on behalf of the panel. We greatly appreciate it and I know Judge Murphy wanted to recognize you as well for all you did. Thank you, Steve.

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-005-21-C	Joel Griffith
1	F-021-21-C	Joel Griffith
2	F-024-21-C	Joel Griffith
3	F-025-21-C	Joel Griffith
4	F-045-21-C	Joel Griffith
2	NF-049-21-C	Joel Griffith
3	NF-068-21-C	Joel Griffith
4	NF-056-21-C	Joel Griffith
1	NF-060-21-C	Joel Griffith
2	NF-069-21-NC	Joel Griffith
3	NF-109-21-C	Joel Griffith
2	F-002-21-NC	Joel Griffith
3	F-007-21-NC	Joel Griffith
4	F-032-21-NC	Joel Griffith
4	F-033-21-NC	Joel Griffith
1	NF-095-21-C	Joel Griffith

*NF-085-21-C and NF-120-21-C will be reviewed during the May meeting.

Additional Discussion:

Dr. Ralston: One thing we might want to think about moving forward, being that we might start getting a lot more drug and alcohol results on parents, what are we going to use for the definition of impaired? Is it the legal limit for driving, is it any drugs or alcohol on board, is it the combination of clinical findings with laboratory findings? Are we going to set a definition or not?

Dr. Currie: Can we add this to the agenda for discussion at the upcoming May meeting? That's a good point.

Dr. Salt: I'll take a look at the literature and see if there are any standards for impairment and send to Elisha.

Lori Aldridge: We will have to discuss a person's tolerance levels as well and how we would be able to determine that or factor it into our decision.

Plan of Safe Care: Dr. Bada – If we have any at all, it's a disconnected plan of safe care. As a physician taking care of these babies with NAS, we do our best and refer them to DCBS but if the mother is in treatment, then basically, we send the baby home with mom and there's no follow-up. If mom is receiving MAT during the pregnancy, most of the time it's through the obstetrics clinic or obstetrician and they only follow these mothers for a short period of time. The other issue is the child goes to the

pediatrician for follow-up and we would make the appointment, but they never show up. So, the problem is if there's no DCBS involvement, the OB does not follow the mother for a long period of time, the physician who makes the pediatrician appointment does not know if the baby was ever seen for follow-up and there's no one ensuring the mother is still receiving the appropriate mental health care for her substance abuse issues. The panel needs to make some recommendations on what we can do to track these mother's and their young infants.

Meeting adjourned.