

# Child Fatality and Near Fatality External Review Panel Virtual Meeting

Tuesday, December 20, 2022

## MINUTES

**Members Present:** Judge Melissa Moore Murphy, Chair; Lori Aldridge, Co-Chair, Tri County CASA; Judge Libby Messer, Fayette Family Court; Lesa Dennis, Commissioner, Department for Community Based Services; Janice Bright, State Child Fatality Review Team; Dr. Elizabeth Salt, Citizens Foster Care Review Board; Dr. Henrietta Bada, Department for Public Health; Dr. Christina Howard, Child Abuse Pediatrician, University of Kentucky; Dr. Melissa Currie, Norton Children's Pediatric Protection Specialist, University of Louisville; Dr. Jaime Kirtley, Prevent Child Abuse Kentucky; Steve Shannon, Executive Director, KARP, Inc; Dr. David Lohr, Medical Director, Department for Community Based Services, Detective Jason Merlo, Kentucky State Police; Dr. William Ralston, Chief Medical Examiner; Mark Hammond, Boyd County Coroner; and Isela Arras, Kentucky Coalition Against Domestic Violence

### **Welcome and Introductions**

*Judge Murphy, Chair*

Judge Murphy welcomed everyone to the final meeting of 2022 for the Child Fatality and Near Fatality External Review Panel. Everyone should have the Minutes and Case Review Summaries from the November meeting. If everyone has had an opportunity to review those, we will entertain a motion. Steve Shannon made a motion to adopt the minutes and case review summaries which was seconded by Jan Bright. With no objections, the November Minutes and Case Review Summaries stand as submitted.

Next, I'd like to turn it over to Dr. Miranda-Straub. Many of you may know, we were grateful she left her first retirement to answer the call to lead the Cabinet during this administration and she has decided to retire again. I am excited for you and glad your path has crossed ours.

*Commissioner Miranda-Straub:* Thank you and good morning. I just wanted to officially let you all know that I came with a one-year commitment to the Governor and the Secretary. I learned it takes a lot more than one year to get anything done in state government. What I wanted to accomplish in that year took two and half years. We have built an inclusive and comprehensive strategic plan that is transformational for our agency. We have provided raises and developed a prevention and community wellness division. It is with a very grateful heart that I say thank you to all of you, especially Joel and Cynthia, for really diving deep into these cases and challenging us to think about processes and to look at missed opportunities. And for having an open mind as to what our world looks like and what we offer. It has felt incredibly collaborative and incredibly aligned that we're all moving in the same direction. It's never felt adversarial to me. I do want you to know, I get sick before these meetings and afterwards. I don't know how you do this work every day. Everyone here and my staff have taught me a lot. The best news I have to offer, a long-time staff member has been appointed as acting Commissioner, Lesa Dennis. I am honored to support her, and I can go relax knowing she is in charge. Again, thank you all and I hope you have a safe and joyous holiday season.

*Judge Murphy:* I get the benefit of speaking for the panel and I want to say thank you. We are grateful for you and grateful for your leadership. Thank you, Lesa, for stepping into this role and we are excited to continue to work with you.

## **2023 Meeting Dates**

*Judge Murphy*

During the last meeting, we voted on having our meetings on the fourth Tuesday of every month. We have integrated some full dates and those are every quarter in-person. So, January 24<sup>th</sup> will be our next virtual half-day meetings and we will meet in-person for a full day in March at Fayette County Courthouse. We will host June's meeting in Frankfort, September's meeting will be in conjunction with the Kids Are Worth It! Conference, and then we can determine the December meeting at a later date. Currently, the December meetings falls on December 26<sup>th</sup>, if there are no objections, we will move that meeting to December 19<sup>th</sup> due to the holidays.

## **Annual Report and Recommendations**

*Judge Murphy*

We still have one case we are waiting for the Department to upload for review. Our plan is to have Joel analyze that case and we will review it by email because it's the last one. As you know, our report is now due by February 1<sup>st</sup>. We would like to have a rough draft ready for review by the January 24<sup>th</sup> meeting. One of the big changes that we asked for was that our recommendations be assigned to someone or an agency for response. So that requires a little more work on our part, we can no longer just put these recommendations out in the atmosphere, we must give some thought on where these recommendations sit. This provides agencies the opportunities to respond to our recommendations and explain to us why it might not work. Throughout the year, we've had a few things come up and we need to try and identify our top three to five recommendations.

We've discussed coroner concerns throughout the year, especially during investigations regarding a child with medically complex issues. We often see coroners assume the death is natural without any investigation and that changes the trajectory of the investigation. Our recommendation will be made to the Kentucky Coroners' Association and DOCJT going forward.

*Elisha:* I am glad to see Mark Hammond was able to join us today. If you don't mind, I'd like to send you the coroner piece for review before we finalize the report, so you can provide us any feedback.

*Mark Hammond:* That will be fine, I don't mind looking at anything. I will say Boyd County stays busy, we do over 300 calls a year. We're seeing more and more cases of kids dying at home that do have a lot of complex medical issues. Here my county, we investigate it just like we would any other case, but a lot of those cases are being worked in the hospital. A lot of the times the coroners don't get these cases at home and that creates a huge problem for us. When EMS arrives, because it's a kid they immediately transport and that is nothing against EMS but then coroners must work the case backwards. Any recommendations you all have, I'll look at and take to the Coroners' Association. Our yearly meeting is in April in Louisville, you all always support that, and we'd love to have you there this year too.

*Judge Murphy:* Thank you for that. We've had discussions about central intake concerns, specifically our medical professionals continue to struggle to get referrals accepted as a fatally or near fatally for

investigation. This is not a front-line staff issue but more a central intake issue. We need to find a better way to streamline those calls, so we're seeing all the cases we should be seeing.

Domestic violence, this piece is probably one that unfortunately is a tale as old as time. It's always been an issue but how we handle our domestic violence issues, especially from a prevention standpoint, our counties lack any intervention or prevention for the offender. How do we expand services for domestic violence prevention, especially when it comes to protecting our children?

*Isela Arras:* KCADV has been awarded funding to be able to support our BIP a lot more thoroughly, and I hope to be able to share more with this group in the coming weeks. I can send Elisha some information regarding the BIP referrals and often what we see is a deep misunderstanding of how the program works. This causes a lot of difficulty for offenders to get what they need. Correcting that would be a small change that would have a big impact. I wouldn't be a KCADV representative if I didn't take the opportunity to advocate for systemic changes. Domestic violence is not just a two-person problem, it is a problem that is exacerbated by poverty, racism, sexism, all those things. I always hope our recommendations can include those issues in every opportunity we have.

*Judge Murphy:* Yes, I agree and thank you. Regarding the other recommendations and keep in mind, I'm only hitting the high points and not going into a deep dive. We've got safe sleep practices, which is always a recommendation to ensure we have consistent messaging. Is this something we send to our Academy of Pediatrics and Physicians to ensure the message is received by every family that has a child.

We are also looking at how mental health is affecting our children coming out of COVID and back to normal life. We've also noted additional support for our Children's Advocacy Centers and the need for strong forensic interviewers. A big one, is our Plan of Safe Care and who we are going to recommend own that within the Commonwealth. We will have a recommendation regarding safe storage of medication to prevent overdose and ingestions. We will also make a recommendation regarding firearms and safe storage. Any other questions or concerns before we delve into our case concerns? With none, Cindy has the pending case.

### **Pending Cases:**

NF-140-21-C – Finding of no abuse or neglect but will remain on the data set.

### **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-004-22-C	Joel Griffith
2	F-015-21-C	Joel Griffith
3	F-023-21-C	Joel Griffith
4	NF-107-21-C	Joel Griffith
4	NF-108-21-C	Joel Griffith
3	NF-119-21-C	Joel Griffith

<u>Group</u>	<u>Case #</u>	<u>Analyst</u>
2	NF-129-21-C	Joel Griffith
1	F-056-21-C	Cindy Curtsinger
1	NF-059-21-C	Cindy Curtsinger
2	NF-081-21-C	Cindy Curtsinger
3	NF-125-21-C	Cindy Curtsinger
4	NF-133-21-C	Joel Griffith
4	NF-138-21-C	Joel Griffith
3	NF-150-21-C	Joel Griffith
2	NF-021-21-C	Joel Griffith
1	NF-064-21-C	Joel Griffith
1	F-068-21-PH	Joel Griffith
2	NF-006-21-C	Joel Griffith
3	NF-145-21-C	Cindy Curtsinger
4	F-052-21-C	Cindy Curtsinger
4	NF-113-21-C	Cindy Curtsinger
3	NF-135-21-C	Cindy Curtsinger
2	NF-017-21-C	Joel Griffith
1	NF-131-21-C	Joel Griffith
2	NF-025-21-C	Joel Griffith
1	F-011-21-C	Joel Griffith
2	NF-146-21-C	Joel Griffith
3	NF-128-21	Joel Griffith
4	NF-149-21	Joel Griffith
4	NF-061-21	Cindy Curtsinger
3	NF-116-21	Cindy Curtsinger
2	F-028-21-C	Cindy Curtsinger
3	NF-093-21-NC	Cindy Curtsinger
4	NF-054-21-C	Joel Griffith
1	NF-091-21-C	Joel Griffith
2	NF-127-21-NC	Joel Griffith
3	NF-055-21-C	Joel Griffith
4	NF-063-21-C	Joel Griffith

**Additional Discussion:**

**Meeting adjourned.**