

CHILD WELFARE AGENCY PUBLIC DISCLOSURE FORM

Date: 1/15/2009

Agency Name: Clark County Department of Family Services

Agency 701 K N. Pecos

Address: Las Vegas, NV 89101

Date of written notification to the Division of Child and Family Services and Legislative

Auditor: 1/15/2009

Internal reference UNITY ID or Report Number: 1352134

Type of Report: 48 Hour Notice 15 Day Update 30 Day Update Final

Child **Date of Death:** 1/13/2009

Fatality

Near **Date of Near Fatality:**

Fatality

Portions of information on this form have been withheld at the request of
_____ **law enforcement agency.**

(Name of agency)

Information for Release:

A. Date of the notification to the child welfare agency of the death of a child:

The date of this fatality was 1/13/2009. DFS was notified of the fatality on 1/13/2009 at 5:25 pm.

B. Location of child at the time of death or near fatality (city/county): N. Las Vegas, Clark

C. A summary of the report of abuse or neglect and a factual description of the contents of the report:

North Las Vegas Police Department was called to a residence on a report of a child drowning.

The Mandated Reporter advised the child was under the care of a licensed home-based day care facility. It was reported that the day care is located in a room in the back of the residence. One of the operators of the day care noticed two children were no longer in the residence and went to look for them. The day care operator went to the back door that leads to the backyard of the home and saw an iron gate that leads to the pool was open and one of the children was splashing around in the Jacuzzi. The day care operator ran to get the child and saw the second child floating face down in the bottom of the Jacuzzi. Upon screaming for help, the day care operator received assistance from others at the residence.

AMR responded to the scene and transported the two children to the hospital. The child that had been found floating face down in the bottom of the Jacuzzi was pronounced deceased by a hospital physician. The parents of the child were notified.

A representative of the State of Nevada Bureau of Services for Child Care contacted DFS and advised they are conducting an investigation.

DFS has been advised that, on 1/14/2009, a DCFS Child Care Surveyor conducted a visit at the day care facility and suspended the license.

D. The date of birth and gender of child: 6/10/2007, Male

- E. The date that the child suffered the fatality or near fatality:** 1/13/2009
- F. The cause of the fatality or near fatality, if such information has been determined:**
Preliminary information received reports the cause of death as drowning.
- G. Whether the agency had any contact with the child or a member of the child's family or household before the fatality or near fatality and, if so:** (1) The frequency of any contact or communication with the child or a member of the child's family or household before the fatality or near fatality and the date on which the last contact or communication occurred before the fatality or near fatality;
(2) Whether the agency which provides child welfare services provided any child welfare services to the child or to a member of the child's family or household before or at the time of the fatality or near fatality;
(3) Whether the agency which provides child welfare services made any referrals for child welfare services for the child or for a member of the child's family or household before or at the time of the fatality or near fatality;
(4) Whether the agency which provides child welfare services took any other actions concerning the welfare of the child before or at the time of the fatality or near fatality; and
(5) A summary of the status of the child's case at the time of the fatality or near fatality, including, without limitation, whether the child's case was closed by the agency which provides child welfare services before the fatality or near fatality and, if so, the reasons that the case was closed.

The information contained in this section is limited to contact(s) with the child who is the subject of this disclosure or a member of that child's family or household that are related to the fatality or near fatality incident. This limitation is required to preserve the confidentiality of all child abuse and neglect reports and records in order to protect the rights of the child and family as mandated by the Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.)

There was one previous report received by this agency with regard to this child. A requisite investigation was completed and the report was found to be unsubstantiated.

- H. Whether the agency which provides child welfare services, in response to the fatality or near fatality:** (1) Has provided or intends to provide child welfare services to the child or to a member of the child's family or household; and (2) Has made or intends to make a referral for child welfare services for the child or for a member of the child's family or household; and (3) Has taken or intends to take any other action concerning the welfare and safety of the child or any member of the child's family or household.

Investigation is ongoing. DFS will, as deemed appropriate, provide child welfare services, make referrals for child welfare services, and/or take action concerning the welfare and safety of relevant members of the child's family or household.

NON-DISCLOSURE NOTICE

The following information must not be released (see Policy on Public Disclosure of Child Fatality and Near Fatality Information, page 4): 1) Information regarding the sibling(s) of a deceased child; 2) the name of the reporting party or individual making an allegation or referral will not be released; 3) if the disclosure of the information would adversely affect any pending investigation concerning a report (NRS 432B.290(3)); 4) if the disclosure violates other federal or state law, including, but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Family Educational and Privacy Act of 1974 (FERPA), alcohol and drug abuse patient records (42 USC §290dd-2 and 42 CFR §212 (c)(6)), and any other applicable law.