

<b>Preliminary Report</b>	<b>Near Fatality</b>	<b>12/15/2023</b>
---------------------------	----------------------	-------------------

- 1. Near Fatality Victim:** one-year-old male
- 2. Date of notification to DCS:** 07/12/2021
- 3. Date of near fatality:** 07/12/2021
- 4. Date of determination that the near fatality was the result of abuse or neglect\*:**  
08/11/2023
- 5. County and general location of the residence of the victim:** Gila County – Payson, AZ
- 6. Alleged perpetrator(s) name, age and city, town or general location:**

Anthony Horbatiuk – age 49 – Payson, AZ

**7. Circumstances of the near fatality that indicate it was the result of abuse or neglect:**

On July 12, 2021, the Department of Child Safety received a report regarding a one-year-old male who was taken to the hospital after being found unresponsive at home. Upon examination, the child was determined to be in critical condition due to an overdose of suboxone. The child was in the care of his grandparents, who are his legal guardians, at the time of the incident. On August 11, 2023, the Department substantiated the allegation of neglect to the child by the child’s grandfather, Anthony Horbatiuk.

**8. Whether DCS has received any reports or past cases, of child abuse, abandonment or neglect involving the child or the current alleged perpetrator(s)\*\*:**

There were no prior DCS reports involving the near fatality victim.

DCS received the following prior report involving the near fatality victim’s grandmother and the grandfather, Anthony Horbatiuk:

On September 25, 2007, the Department received a report alleging physical abuse to a child by their father, Anthony Horbatiuk, and their step-mother. The investigation resulted in the child and their siblings coming into DCS custody and a dependency petition was filed. The family was offered services. The father declined services and his parental rights to the child were terminated. The allegation was substantiated as to the father, unsubstantiated as to the step-mother, and the case was closed in 2010.

On June 10, 2011, the Department received a report alleging physical abuse and neglect by the child’s mother and father, Anthony Horbatiuk. The allegations were unsubstantiated and the case was closed on 8/10/2011.

**9. Actions taken by DCS in response to the near fatality:**

A joint investigation was conducted with the Payson Police Department.

**10. Actions taken regarding the child and/or other children in the home:**

Tonto Apache Tribal social services intervened and took jurisdiction during the investigation of the near fatality incident.

**11. Whether the agency is or intends to provide direct services or service referrals to the family:**

The Department provided the family with information on services available in the community.

\*The determination that a fatality or near fatality is the result of abuse, abandonment or neglect is based one or more of the following criteria: (1) The perpetrator(s) arrest related to the incident, (2) Substantiated finding(s) linking the alleged perpetrator(s) action(s) to the fatality or near fatality and/or (3) Results of the Medical Examiner's report.

\*\* Information released after July 3, 2015 provides reports, or any current or past cases, of abuse, abandonment or neglect involving the child or the alleged perpetrator pursuant to A.R.S. § 8-807.01(A)(1)(e).  
Posted information may be updated as new information becomes available.