



<b>Summary Report</b>	<b>Near Fatality</b>	<b>08/21/2019</b>
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**1. Victim:** 1 year old female

**2. Was the child residing in the child's home or in an out-of-home placement at the time of the near fatality?**

The child was residing in her home when the following incident occurred:

On April 10, 2018, the Department of Child Safety received a report regarding a one year old child who had been taken to the hospital after respiratory distress. The child was found to be in critical condition with a collapsed lung, low oxygen levels, bruising, and gastrointestinal injuries. On April 12, 2018, the Department filed a dependency petition in Maricopa County Juvenile Court. On May 13, 2019, the Maricopa County Juvenile Court found through a dependency proceeding that the mother, Megan Makula, and father, Isaias Payan, had abused and/or failed to protect the near fatality victim.

**3. If the victim in the Preliminary Report involved a child residing in the child's home, the following information will be provided:**

**a. Services being provided to the child, a member of the child's family or the person suspected of the abuse or neglect at the time of the incident and the date of the last contact before the incident between the entity providing services and the person receiving services:**

Although no services were being provided to the family prior to the April 10, 2018 near fatality incident, the family was being investigated for one open report dated March 17, 2018. An investigation was initiated and efforts were made to locate the family without success. The Department was continuing efforts to locate the family when the report of the near fatality incident was received.

**b. Was the child, a member of the child's family or the person suspected of the abuse or neglect the subject of a report for investigation at the time of the incident?**

Isaias Payan and the near fatality victim were subjects of the March 17, 2018 report.

**c. All involvement of the child's parents and of the person suspected of the abuse or neglect in a situation for which a report for investigation was made or in services provided pursuant to this chapter in the five years preceding the incident:**

DCS has received the following prior reports involving the child's parents, Megan Makula and Isaias Payan:

On November 13, 2013 a report was received alleging neglect to a sibling by the parents, Megan Makula and Isaias Payan. The allegations were substantiated and a dependency petition was filed in juvenile court. Services were offered to the family throughout the dependency process.

On March 17, 2018, a report was received alleging physical abuse to the near fatality victim and sibling by the parents, Megan Makula, and Isaias Payan. The report was still open when the near fatality report came in. This report was eventually closed as unsubstantiated.



**d. Any investigation pursuant to a report for investigation concerning the child, a member of the child's family or the person suspected of the abuse or neglect or services provided to the child or the child's family since the date of the incident involving the near fatality:**

The investigation of the near fatality resulted in the other child in the home being placed in licensed foster care. The victim was also placed in foster care upon release from the hospital. The Department filed a dependency petition with the Maricopa County Juvenile Court and services are being provided. No subsequent reports have been received.

**4. If the victim in the Preliminary Report involved a child residing in an out-of-home placement, the following information will be provided:**

**a. Licensing Agency:**

N/A

**b. Licensing history of the out-of-home placement, including the type of license held by the operator of the placement and the period for which the placement has been licensed:**

N/A

**c. Summary of all violations by the licensee:**

N/A

**d. Any other actions by the licensee or an employee of the licensee that constitute a substantial failure to protect and promote the health, safety and welfare of a child.**

N/A

**5. Actions taken by the Department in response to the case including any changes to policy or practice and/or recommendations for further changes in policies, practices, rules or statutes:**

The Department conducted a joint investigation with the Mesa Police Department. The other child in the home was placed into licensed foster care. Upon release from the hospital, the near fatality victim was also placed in foster care. The Department filed a dependency petition with the Maricopa County Juvenile Court. Services are being provided to the children. No subsequent reports have been received.

Additionally, in accordance with the DCS Strategic Plan for State Fiscal Year 2016 (FY16), multidisciplinary team (MDT) reviews of fatality and near fatality cases were implemented during the first quarter of FY16. The MDT reviews of fatality and near fatality cases, especially those with prior DCS involvement, are a key feature of the Strategic Plan and support the objective of increasing the accuracy of safety and risk assessments in investigations.

Cases are reviewed by the MDT in order to identify any systemic factors, both internal and external to the Department that may have had an impact. The Department uses the aggregate data gathered through all of the MDT reviews to assess and guide future changes and/or recommendations to policies, practices, rules or statutes. Findings from these reviews are compiled into an annual report to be shared on the DCS website. The target date for release of the next report is December 1, 2019.

For more information regarding the Department of Child Safety's Strategic Plan for State Fiscal Year 2016, please visit the DCS website.



*Arizona Department of Child Safety*

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