



Summary Report	Near Fatality	09/12/2019
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1. Victim: 1-year-old male

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 his home when the following incident occurred:

On April 18, 2019, the Department of Child Safety received a report regarding a 1-year-old child who was brought to the hospital in critical condition. When he arrived, he was purple in color, but he was resuscitated and intubated. He was having seizures and his pupils were consistent with an overdose. A toxicology screen was conducted, which was positive for agents given by the hospital, fentanyl and benzodiazepines, but also for aminophenazone, which is an NSAID no longer available in the United States. There was a high suspicion that his altered mental state was caused by synthetic fentanyl. The child had been at home in the care of his mother, Lucia Arguelles, when the incident occurred. The Department filed a dependency petition with the Maricopa County Juvenile Court on April 23, 2019. On August 5, 2019, the court found through the dependency proceeding that the mother neglected the child by failing to provide him with a safe and stable home environment and proper supervision.

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:

No services were being provided to the family by the Department of Child Safety at the time of the incident.

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?

No.

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:

The child's mother, Lucia Arguelles, was involved in the following prior report in the five years preceding the incident:

On May 9, 2018, a report was received alleging neglect to the near fatality victim and his siblings by their mother, Lucia Arguelles. The investigation assessed the children as safe and the case was closed with the allegations 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 report resulted in the child and his siblings being placed with a relative. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. The allegation of neglect pertaining to Lucia Arguelles has been substantiated. No subsequent reports of abuse or neglect 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 Avondale Police Department. The other children in the home were removed and placed with a relative. Upon release from the hospital, the near fatality victim was also placed with the relative. The Department filed a dependency petition with the Maricopa County Juvenile Court and substantiated the allegations of neglect as to Lucia Arguelles. Services are being provided. 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.

This case was 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 is using 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 will be compiled into an annual report to be shared on the DCS website. The target date for release of this report is December 1, 2019.



ARIZONA
DEPARTMENT
of CHILD SAFETY

Mike Faust, Director
Douglas A. Ducey, Governor

For more information regarding the Department of Child Safety's Strategic Plan for State Fiscal Year 2016, please visit the DCS website at: <https://dcs.az.gov/news/dcs-strategic-plan>.