

Statement on the near fatality of a one-year-old male

Date Issued: December 15, 2023

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 home was observed to contain suboxone film containers on the floor, which the child ingested and was revived after being given Narcan. 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.

The Department conducted a joint investigation with the Payson Police Department.

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

The Department provided the family with information on services available in the community. The allegation of neglect pertaining to Anthony Horbatiuk has been substantiated and the case was closed on September 18, 2021.

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

DCS received the following prior reports involving the child's legal guardian, 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 report alleged the child presented with a laceration on their ear and bruising on their buttocks. Mr. Horbatiuk admitted to spanking the child. The investigation resulted in the child and their siblings being removed from the home. Mr. Horbatiuk was offered and declined services from the Department. Mr. Horbatiuk's 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 to a child by their mother and their father, Anthony Horbatiuk. The report alleged that child ran away due to the father being physically abusive, the child not wanting to be in the home, and concern that their mother does not intervene due to substance use. The investigation did not find evidence to support the allegations. The allegations were unsubstantiated and the case was closed on 8/10/2011.