

8-year-old migrant girl who died in U.S. Border Patrol custody was denied hospital treatment



Anadith Tanay Reyes Álvarez was denied ambulance transport to a hospital until she suffered a seizure on May 17.

El Paso, June 4 (RHC)-- A medically fragile 8-year-old girl who died in the custody of the U.S. Border Patrol last month suffered a 104.9-degree fever, but was still not taken to a hospital, the day before she died, an internal investigation found.

A contracted nurse practitioner also declined to review documents and refused repeated requests for an ambulance from the mother of Anadith Tanay Reyes Álvarez in the hours before the child appeared to suffer a seizure and died on her ninth day in the agency's custody, according to the internal investigation by Customs and Border Protection.

Anadith, who was born in Panama to Honduran parents, entered Brownsville, Texas, with her parents and two siblings on May 9th. The following day, the child underwent medical screening as part of the intake process, during which her parents shared the 8-year-old's medical history, including that she had congenital heart disease and sickle cell anemia.

Despite her medical history being provided, a nurse practitioner declined to review documents that were provided the day she died, May 17th, and no personnel were aware of her chronic conditions, the Customs and Border Protection's Office of Professional Responsibility said in an initial statement after its investigation into the child's death.

The nurse practitioner also reported refusing three or four requests from the girl's mother for an ambulance or for her child to be taken to a hospital that day, the statement said. Anadith's mother, Mabel Álvarez, had previously said repeated requests for an ambulance were denied.

The internal review has so far focused on the "events and interactions" that unfolded between the time Anadith and her family arrived at the Harlingen U.S. Border Patrol Station on May 14 for medical isolation to the day she was transported to the hospital and later died.

Between the time of her family's arrival the night of May 14, CBP-contracted medical personnel reported having around nine encounters with Anadith and her mother, with the child complaining of fever, flu-like symptoms and pain, the statement said.

Medical personnel administered Oseltamivir, sold under the brand name Tamiflu, to the girl as prescribed, it said. They also treated her fever, which at one point peaked at 104.9 degrees Fahrenheit early in the morning of May 16, the day before she died, with a combination of ice packs, fever-reducing medications and a cold shower, it added.

"Despite the girl's condition, her mother's concerns, and the series of treatments required to manage her condition, contracted medical personnel did not transfer her to a hospital for higher-level care," the statement said.

A fever is typically defined as a temperature of 100.4 degrees or higher and the American Academy of Pediatrics says a pediatrician should be called right away if a fever rises above 104 degrees repeatedly at any age.

The internal investigation found that contracted medical personnel did not consult with on-call physicians, including an on-call pediatrician, about the girl's condition, symptoms or treatment and they failed to document "numerous medical encounters, emergency antipyretic interventions, and administrations of medicine."

Anadith was only taken to a hospital the next day, May 17, after her mother returned to medical personnel after repeated visits just before 2 p.m. local time with her daughter in her arms as the child appeared to suffer a seizure.

The child became unresponsive, prompting medical personnel to call for emergency medical services and provide CPR aided by an automated external defibrillator, which did not recommend any defibrillation, the statement said.

Anadith was taken to a hospital after 2 p.m. and was declared dead less than an hour later at 2:50 p.m.

he child had already been seen on four occasions earlier that day by a nurse practitioner after complaining of a stomach ache, nausea and difficulty breathing, according to the statement. The nurse practitioner denied three or four requests during that time from the girl's mother for an ambulance to be called or for her child to be taken to a hospital.

At around 10:30 a.m. local time that morning, another contracted medical worker reported having brought a pile of documents from the family's property to the nurse practitioner, but the nurse declined to review the papers, the statement said. It did not expand on what the exact contents of the documents were.

As of Thursday, the professional responsibility office's review found that "none of the CBP contracted medical personnel or U.S. Border Patrol personnel at Harlingen Station who interacted with the girl, or her mother, acknowledged being aware she suffered from sickle cell anemia or had a history of congenital heart disease," despite that information being provided.

The statement noted that a closed-circuit television recording system at Harlingen Station was not functioning during the time Anadith and her family were in custody and it said only three medical encounters were formally documented. As a result, it said Thursday's update was based largely on interviews with Border Patrol agents and contracted medical personnel who interacted with the family.

"Anadith's parents came to this country seeking what most of us want for our children — safety, opportunity, and the chance at a better future, but instead, they were met with tragedy," Karla Marisol Vargas, a senior attorney with the Beyond Borders Program at the Texas Civil Rights Project, said in a statement Friday afternoon. The organization is representing the girl's family.

"To add to their suffering and righteous anger, through this statement, the U.S. government is trying to divert responsibility for this little girl's death away from their own deadly neglect," Vargas said in the statement. The organization said it is seeking an independent autopsy for Anadith to determine her cause of death.

The statement also said that Anadith's mother "told every official she came into contact with" about her daughter's medical history, including sharing medical documents with CBP and medical staff. "They could have done something for my daughter if they had called the ambulance sooner," Álvarez told Noticias Telemundo from a shelter for migrants in McAllen, Texas, last month. "My daughter would still be alive."

Álvarez described her daughter as a "friendly, loving" girl who always thought of others, and who had hoped to one day help children with her same health conditions. In a statement Thursday, CBP Acting Commissioner Troy Miller said Anadith's death was a "deeply upsetting and unacceptable tragedy."

In the days since the incident, he said CBP had taken multiple steps to address issues identified by the ongoing investigation, including directing a review of all medically fragile individuals and families in custody to prioritize their processing and minimize the amount of time they spend in custody.

"Through these efforts, we have reduced the average time in custody for family units by more than 50% from two weeks ago to today," he said. "We can —and we will— do better to ensure this never happens again," he said.

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