

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1247

AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-49-5-2, AS ADDED BY P.L.119-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The state child fatality review coordinator shall develop a data collection form that includes:

- (1) identifying and nonidentifying information;
- (2) information regarding the circumstances surrounding a death;
- (3) factors contributing to a death; and
- (4) findings and recommendations that include the following information:

(A) Whether similar future deaths could be prevented.

(B) A list of:

- (i) agencies and entities that should be involved; and
 - (ii) any other resources that should be used;
- to adequately prevent future child deaths in the area.

(b) The state child fatality review coordinator shall develop a confidentiality form for use by the statewide child fatality review committee and local child fatality review teams.

(c) The data collection form developed under this section must mirror the information contained in the most recent version of the National Fatality Review Case Reporting System CDR Report Form.

(d) The state child fatality review coordinator shall provide the

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data collection form described in this section to each local child fatality review team.

SECTION 2. IC 31-25-2-24, AS AMENDED BY P.L.148-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 24. (a) Before December 31 of each year, the department shall annually prepare a report concerning all child fatalities in Indiana that are the result of child abuse or neglect in the preceding calendar year. The report must include the following information:

- (1) A summary of the information gathered concerning child fatalities resulting from abuse or neglect.
- (2) Demographic information regarding victims, perpetrators, and households involved in child fatalities resulting from abuse or neglect.
- (3) An analysis of the primary risk factors involved in child fatalities resulting from abuse or neglect.
- (4) A summary of the most frequent causes of child fatalities resulting from abuse or neglect.
- (5) A description of the manner in which the information was assembled.

The department shall post the report prepared under this section on the department's Internet web site.

(b) As part of the summary of information described in subsection (a)(1), the report must include: ~~whether any of the following apply:~~

- ~~(1) The child's death occurred while the child was placed in foster care;~~
- ~~(2) The child's death occurred after the child, who was once placed in foster care, was returned to a natural parent;~~
- ~~(3) The child was a ward of the department at the time of the event that led to the child's death;~~

(1) whether the child was alleged or adjudicated to be a child in need of services under IC 31-34-1 in a child in need of services proceeding that had not been closed at the time of the event that led to the child's death; and

(2) whether, at the time of the event that led to the child's death, the child:

- (A) had been ordered to remain in the child's home;**
- (B) was on a trial home visit;**
- (C) was placed in foster care;**
- (D) was residing in a residential treatment; or**
- (E) was the subject of a program of informal adjustment.**

(c) As part of the annual report required by subsection (a),



before December 31 of each year, the department shall report the following:

- (1) The number of children who died in Indiana in the preceding calendar year for whom abuse or neglect was suspected to be a factor in the child's death.**
- (2) The:**
 - (A) number of children described in subdivision (1) whose cause of death was determined to be related to abuse or neglect; and**
 - (B) number of children described in subdivision (1) whose cause of death was determined to be unrelated to abuse or neglect.**
- (3) The number of children described in subdivision (2)(A) who were the subject of a department assessment based on an allegation of abuse or neglect.**
- (4) The number of children described in subdivision (3) who were the subject of a department assessment based on an allegation of abuse or neglect that was determined to be substantiated.**
- (5) The number of children described in subdivision (3) who were the subject of a department assessment based on an allegation of abuse or neglect that was determined to be unsubstantiated.**
- (6) For each child described in subdivision (3), the following information:**
 - (A) The cause and manner of the child's death.**
 - (B) The:**
 - (i) number of department assessments of the child that were based on an allegation of abuse or neglect that was determined to be substantiated; and**
 - (ii) number of department assessments of the child that were based on an allegation of abuse or neglect that was determined to be unsubstantiated.**
 - (C) The child's relationship to the perpetrator or perpetrators of the abuse or neglect to which the child's death was determined to be related.**
 - (D) For each perpetrator described in clause (C):**
 - (i) whether, prior to the allegation of abuse or neglect to which the death of the child described in subdivision (3) was related, a substantiated allegation of abuse or neglect resulted in the perpetrator being determined to have abused or neglected the child or another child; and**



(ii) the number of substantiated reports of abuse or neglect described in item (i).

~~(c)~~ **(d)** Not later than January 31 of each year, the department shall provide to the executive director of the legislative services agency, for distribution to the interim study committee on child services, a copy of the most recent annual report prepared by the department under this section. The report provided to the executive director of the legislative services agency under this subsection must be in an electronic format under IC 5-14-6.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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