

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 239

AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

SECTION 1. IC 31-25-2-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) The department shall before October 1, 2021, establish policies and procedures to allow for child and family services to be provided remotely by October 1, 2021. Subject to subsection (b), these policies and procedures must allow a child and family services provider the discretion to initiate a consultation with the department for any child and family services the provider believes should be provided remotely. The child and family services provider and the child's case manager may take into consideration the following when determining whether remote child and family services are appropriate:**

- (1) **The child's:**
 - (A) **CANS assessment;**
 - (B) **case plan; and**
 - (C) **safety plan.**
- (2) **The child's and family's:**
 - (A) **initial safety assessment;**
 - (B) **initial family risk assessment; and**
 - (C) **preferences regarding the manner of receiving services.**

SEA 239 — Concur



(3) Federal reimbursement requirements.

(4) Evidence based practice requirements.

(b) A child and family services provider's first meeting with a family, or with a child who lives with the child's family, must be conducted in person unless a declared health emergency makes an in person meeting unsafe. After a child and family services provider's first meeting with a family or with a child who lives with the child's family, or for purposes of providing services to a child who does not live with the child's family, a child and family services provider has the discretion to provide services to the child or family remotely for up to fourteen (14) days after the initial request for consultation if providing services remotely is in the best interests of the child and family, unless:

(1) a decision is reached on the use of remote services at a child and family team meeting less than fourteen (14) days after the request for consultation; or

(2) the department communicates to the child, family, and service provider a preliminary determination as to the role of remote services pending the child and family team meeting.

The child and family services provider shall continue to meet with the child and family in person at least once a week as the department deems necessary.

SECTION 2. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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