

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Senate Bill 12 be amended to read as follows:

- 1 Page 27, between lines 10 and 11, begin a new paragraph and insert:
2 "SECTION 40. IC 31-33-24-7, AS AMENDED BY P.L.225-2007,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 7. (a) A child fatality review consists of
5 determining:
6 (1) whether similar future deaths could be prevented; ~~and~~
7 (2) agencies or resources that should be involved to adequately
8 prevent future deaths of children;
9 **(3) whether any party or state agency may have violated any**
10 **law; and**
11 **(4) whether a potential criminal act should be referred to the**
12 **prosecuting attorney.**
13 (b) In conducting the child fatality review under subsection (a), the
14 local child fatality review team shall review every record concerning
15 the deceased child that is held by the department.
16 (c) If a local child fatality review team requests records from a
17 hospital, physician, coroner, or mental health professional regarding a
18 death that the local child fatality review team is investigating, the
19 hospital, physician, coroner, or mental health professional shall provide
20 the requested records, subject to IC 34-30-15, to the child fatality
21 review team.
22 **(d) If a local child fatality review team determines that an**
23 **individual person may have committed a criminal act, the local**
24 **child fatality review team shall inform the prosecuting attorney of**

1 **the possible criminal act and shall forward to the prosecuting**
 2 **attorney all documents concerning the possible criminal act that**
 3 **the local child fatality review team possesses.**

4 SECTION 41. IC 31-33-24-16 IS ADDED TO THE INDIANA
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE UPON PASSAGE]: **Sec. 16. The department shall**
 7 **reimburse a county for all expenses incurred under this chapter.**

8 SECTION 42. IC 31-33-25-6, AS AMENDED BY
 9 P.L.182-2009(ss), SECTION 381, IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The
 11 statewide child fatality review committee is established to review a
 12 child's death that is:

- 13 (1) sudden;
- 14 (2) unexpected; or
- 15 (3) unexplained;

16 if the county where the child died does not have a local child fatality
 17 review team or if the local child fatality review team requests a review
 18 of the child's death by the statewide committee.

19 (b) The statewide child fatality review committee may also review
 20 the death of a child upon request by an individual or the department of
 21 child services ombudsman established by IC 4-13-19-3.

22 (c) A request submitted under subsection (b) must set forth:

- 23 (1) the name of the child;
- 24 (2) the age of the child;
- 25 (3) the county where the child died;
- 26 (4) whether a local child fatality review team reviewed the death;
- 27 and
- 28 (5) the cause of death of the deceased child.

29 **(d) In conducting a child fatality review, the statewide child**
 30 **fatality review committee shall determine whether:**

- 31 **(1) any party or state agency may have violated any law; and**
- 32 **(2) a potential criminal act should be referred to the**
 33 **prosecuting attorney.**

34 **If the statewide child fatality review committee determines that an**
 35 **individual person may have committed a criminal act, the**
 36 **statewide child fatality review committee shall inform the**
 37 **prosecuting attorney of the county where the incident occurred of**
 38 **the possible criminal act and shall forward to the prosecuting**

- 1 **attorney all documents concerning the possible criminal act that**
- 2 **the statewide child fatality review committee possesses."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 12 as printed February 17, 2012.)

Representative DeLaney