

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 4: Assessment Section 31: Child Fatality and Near Fatality Assessments	
	Effective Date: January 1, 2026	Version: 13

POLICY OVERVIEW

The Indiana Department of Child Services (DCS) assesses the circumstances surrounding a child fatality and near fatality to determine if Child Abuse and/or Neglect (CA/N) was a factor. The safety of other children in the home is also assessed.

POLICY STATEMENT

DCS will complete a child fatality and/or near fatality assessment when:

1. There is reason to believe that Child Abuse and/or Neglect (CA/N) may have been a factor; and/or
2. The child fatality or a near fatality is sudden, unexpected, and unexplained and the child is under three (3) years of age.

DCS Coordination with Law Enforcement

DCS will work with a Law Enforcement Agency (LEA) and talk with the coroner as needed. A DCS assessment shall not interfere with the LEA investigation. The DCS local office shall complete an assessment including information from LEA or complete a joint DCS/LEA assessment.

Child Fatality Notification

The DCS Child Abuse Hotline (Hotline) and the local child fatality review team or the statewide child fatality review committee, will be notified by the coroner of the death of a child under age 18, or who appears to be under 18, and who has died in a sudden, unexpected, or unexplained manner.

Alcohol/Drug screening in a Child Fatality and/or Near Fatality

DCS or LEA **has the right to** ask the parent, guardian, or custodian to take an alcohol/drug screen if DCS has reason to believe they were impaired, intoxicated, or under the influence of drugs or alcohol immediately before or at the time of death. The request must be made **within three (3) hours** of the near fatality or death of the child for a refusal to screen to be treated as a positive screen for purposes of assessment.

Note: If DCS is unable to request a screen within the three (3) hour window and the parent, guardian, or custodian declines to screen, it may only be treated as a refusal, and not a positive test, but the request should still be made and documented.

DCS must document any signs of impairment of the parent, guardian, or custodian observed at any time during the assessment. If DCS is not on the scene of the fatality and/or near fatality,

the Family Case Manager (FCM) should talk to the professionals who were there (e.g., LEA and Emergency Medical Services [EMS]), and get any records about impairment or lack thereof.

Documenting Assessment Findings

Include the following information in the 311:

1. Summary of the CA/N report facts;
2. The child's date of birth and gender;
3. Cause of the fatality or near fatality if it has been determined; and
4. Prior DCS contact with the child or the perpetrator.

Note: If DCS had contact prior to the fatality or near fatality, include:

- a. Contact frequency with the child or a member of the child's family or household,
- b. Date of last contact,
- c. Prior assessments and their findings, and
- d. Case status summary, including:
 - Whether the child's case was closed by DCS before the fatality or near fatality,
 - Reasons for case closure, and
 - Date of case closure.

IC 16-49-3-3 outlines the child fatality records that may be reviewed by the local child fatality review team.

LEGAL REFERENCES

- [42 USC Ch. 67: Child Abuse Prevention and Treatment and Adoption Reform](#)
- [IC 16-49: ARTICLE 49. CHILD FATALITY REVIEWS](#)
- [IC 16-49-3-3: Review; records and information; not subject to subpoena or discovery or admissible as evidence](#)
- [IC 31-9-2-13: "Child"](#)
- [IC 31-9-2-14.2: "Child advocacy center"](#)
- [IC 31-9-2-47.1: "Forensic interview"](#)
- [IC 31-25-2-14.5: Child advocacy centers; duties; confidentiality; civil immunity](#)
- [IC 31-33-8: Chapter 8. Investigation of Reports of Suspected Child Abuse or Neglect](#)
- [IC 31-33-18-1.5: Written findings; copies to the department of child services; certain records held by governmental entities not confidential if redacted; procedure for redacting records](#)
- [IC 31-33-18-2: Disclosure of unredacted material to certain persons](#)
- [IC 31-34-12-7: Failure to submit to drug or alcohol test](#)
- [IC 36-2-14-6.3: Coroner notification of child deaths; coroner consultation with child death pathologist; suspicious, unexpected, or unexplained child deaths; autopsy](#)
- [IC 36-2-14-18: Public inspection and copying of information; investigatory records; copies of autopsy; availability of report](#)