



February 23, 2005

HOUSE BILL No. 1743

DIGEST OF HB 1743 (Updated February 22, 2005 1:13 pm - DI 107)

Citations Affected: IC 12-13; IC 31-33; noncode.

Synopsis: Child caseworker caseload ratios. Establishes maximum caseload ratios for child protection caseworkers. Requires local child protection services to maintain sufficient staff to comply with the maximum caseload ratios. Requires the division of family and children to: (1) report to the budget committee and legislative council concerning child protection caseworker caseloads every three months; and (2) report to legislative council and to the health finance commission concerning education levels and salaries of child protection caseworkers and supervisors of child protection caseworkers.

Effective: July 1, 2005.

Budak, Becker, Walorski, Dickinson

January 19, 2005, read first time and referred to Committee on Family, Children and Human Affairs.
February 22, 2005, amended, reported — Do Pass.

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HB 1743—LS 7154/DI 107+



February 23, 2005

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1743

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 12-13-14.5-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. One (1) time every
3 ~~six (6)~~ **three (3)** months, the division shall submit a report to the
4 budget committee and to the ~~general assembly~~ **legislative council** that
5 provides data and statistical information regarding caseloads for each
6 county for child protection caseworkers, child welfare caseworkers and
7 other caseworkers under the jurisdiction of the division of family and
8 children, department of family and social services during the preceding
9 ~~six (6)~~ **three (3)** months. A report submitted under this section to the
10 general assembly must be in an electronic format under IC 5-14-6.

11 SECTION 2. IC 12-13-14.5-3.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2005]: **Sec. 3.5. (a) This section applies after**
14 **June 30, 2008.**

15 **(b) A child protection caseworker or a child welfare caseworker**
16 **may not be assigned work that exceeds the following maximum**
17 **caseload levels at any time:**

HB 1743—LS 7154/DI 107+



- 1 (1) For caseworkers assigned only initial assessments,
- 2 including investigations of an allegation of child abuse or
- 3 neglect, twelve (12) active cases per month per caseworker.
- 4 (2) For caseworkers assigned only ongoing cases, seventeen
- 5 (17) active families per caseworker.
- 6 (3) For caseworkers assigned a combination of initial
- 7 assessments and ongoing cases under subdivisions (1) and (2),
- 8 four (4) investigations and ten (10) active ongoing cases per
- 9 caseworker.

10 (c) The local child protection service shall comply with the
 11 maximum caseload ratios described in subsection (b).

12 SECTION 3. IC 31-33-2-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The local child
 14 protection service:

- 15 (1) must have sufficient qualified and trained staff to fulfill the
- 16 purpose of this article;
- 17 (2) must be organized to maximize the continuity of
- 18 responsibility, care, and service of individual caseworkers toward
- 19 individual children and families;
- 20 (3) must provide training to representatives of the child protective
- 21 services system regarding the legal duties of the representatives,
- 22 which may consist of various methods of informing the
- 23 representatives of their duties, in order to protect the legal rights
- 24 and safety of children and families from the initial time of contact
- 25 during the investigation through treatment; and
- 26 (4) must provide training to representatives of the child protective
- 27 services system regarding the constitutional rights of the child's
- 28 family, including a child's guardian or custodian, that is the
- 29 subject of an investigation of child abuse or neglect consistent
- 30 with the Fourth Amendment to the United States Constitution and
- 31 Article I, Section 11 of the Constitution of the State of Indiana.

32 (b) This section expires June 30, 2008.

33 SECTION 4. IC 31-33-2-2.1 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2005]: Sec. 2.1. (a) This section applies after June 30, 2008.

36 (b) The local child protection service:

- 37 (1) must have sufficient qualified and trained staff to:
- 38 (A) fulfill the purpose of this article; and
- 39 (B) comply with the maximum caseload ratios for:
- 40 (i) child protection caseworkers; and
- 41 (ii) child welfare caseworkers;
- 42 set forth in IC 12-13-14.5-3.5;

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- 1 (2) must be organized to maximize the continuity of
- 2 responsibility, care, and service of individual caseworkers
- 3 toward individual children and families;
- 4 (3) must provide training to representatives of the child
- 5 protective services system regarding the legal duties of the
- 6 representatives, which may consist of various methods of
- 7 informing the representatives of their duties, in order to
- 8 protect the legal rights and safety of children and families
- 9 from the initial time of contact during the investigation
- 10 through treatment; and
- 11 (4) must provide training to representatives of the child
- 12 protective services system regarding the constitutional rights
- 13 of the child's family, including a child's guardian or
- 14 custodian, that is the subject of an investigation of child abuse
- 15 or neglect consistent with the Fourth Amendment to the
- 16 United States Constitution and Article I, Section 11 of the
- 17 Constitution of the State of Indiana.

18 SECTION 5. [EFFECTIVE JULY 1, 2005] (a) The division of
 19 family and children shall submit a report to the legislative council
 20 and the health finance commission established by IC 2-5-23-3 that
 21 contains statistics concerning the education levels and salaries of
 22 all:

- 23 (1) child protection caseworkers and child welfare
- 24 caseworkers; and
- 25 (2) child protection caseworker and child welfare caseworker
- 26 supervisors;

27 by September 1, 2005.

28 (b) The report required by subsection (a) must be in an
 29 electronic format under IC 5-14-6.

30 (c) This SECTION expires December 31, 2005.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1743, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-13-14.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. One (1) time every ~~six (6)~~ **three (3)** months, the division shall submit a report to the budget committee and to the ~~general assembly~~ **legislative council** that provides data and statistical information regarding caseloads for each county for child protection caseworkers, child welfare caseworkers and other caseworkers under the jurisdiction of the division of family and children, department of family and social services during the preceding ~~six (6)~~ **three (3)** months. A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6."

Page 1, line 3, after "(a)" insert "**This section applies after June 30, 2008.**".

(b)".

Page 1, line 16, delete "(b)" and insert "(c)".

Page 1, line 17, delete "(a)" and insert "(b)".

Page 2, line 2, after "2." insert "(a)".

Page 2, line 4, delete "at all times".

Page 2, line 4, delete ":".

Page 2, line 5, delete "(A)".

Page 2, line 5, delete "and".

Page 2, run in lines 4 through 5.

Page 2, delete lines 6 through 9.

Page 2, after line 24, begin a new paragraph and insert:

"(b) This section expires June 30, 2008.

SECTION 4. IC 31-33-2-2.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 2.1. (a) This section applies after June 30, 2008.**

(b) The local child protection service:

(1) must have sufficient qualified and trained staff to:

(A) fulfill the purpose of this article; and

(B) comply with the maximum caseload ratios for:

(i) child protection caseworkers; and

(ii) child welfare caseworkers;

set forth in IC 12-13-14.5-3.5;

(2) must be organized to maximize the continuity of

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responsibility, care, and service of individual caseworkers toward individual children and families;

(3) must provide training to representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing the representatives of their duties, in order to protect the legal rights and safety of children and families from the initial time of contact during the investigation through treatment; and

(4) must provide training to representatives of the child protective services system regarding the constitutional rights of the child's family, including a child's guardian or custodian, that is the subject of an investigation of child abuse or neglect consistent with the Fourth Amendment to the United States Constitution and Article I, Section 11 of the Constitution of the State of Indiana.

SECTION 5. [EFFECTIVE JULY 1, 2005] (a) The division of family and children shall submit a report to the legislative council and the health finance commission established by IC 2-5-23-3 that contains statistics concerning the education levels and salaries of all:

(1) child protection caseworkers and child welfare caseworkers; and

(2) child protection caseworker and child welfare caseworker supervisors;

by September 1, 2005.

(b) The report required by subsection (a) must be in an electronic format under IC 5-14-6.

(c) This SECTION expires December 31, 2005."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1743 as introduced.)

BUDAK, Chair

Committee Vote: yeas 8, nays 0.

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