

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 286 be amended to read as follows:

- 1 Page 33, delete lines 5 through 42, begin a new paragraph and
2 insert:
3 "SECTION 38. IC 31-33-24-7, AS AMENDED BY P.L.225-2007,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 7. (a) A child fatality review consists of
6 determining:
7 (1) whether similar future deaths could be prevented; ~~and~~
8 (2) agencies or resources that should be involved to adequately
9 prevent future deaths of children;
10 **(3) whether any party or state agency may have violated any**
11 **law; and**
12 **(4) whether a potential criminal act should be referred to the**
13 **prosecuting attorney.**
14 (b) In conducting the child fatality review under subsection (a), the
15 local child fatality review team shall review every record concerning
16 the deceased child that is held by the department.
17 (c) If a local child fatality review team requests records from a
18 hospital, physician, coroner, or mental health professional regarding a
19 death that the local child fatality review team is investigating, the
20 hospital, physician, coroner, or mental health professional shall provide
21 the requested records, subject to IC 34-30-15, to the child fatality
22 review team.
23 **(d) If a local child fatality review team determines that an**
24 **individual person may have committed a criminal act, the local**

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

5 SECTION 39. IC 31-33-24-16 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE UPON PASSAGE]: **Sec. 16. The department shall**
8 **reimburse a county for all expenses incurred under this chapter."**

- 9 Delete pages 34 through 37.
- 10 Page 38, delete lines 1 through 21.
- 11 Page 38, line 29, after "unexplained;" insert "**or**".
- 12 Page 38, line 31, delete "or".
- 13 Page 38, delete lines 32 through 34.
- 14 Page 38, reset in roman line 35.
- 15 Page 38, line 36, reset in roman "review team or".
- 16 Page 38, line 39, reset in roman "an individual or".
- 17 Page 39, between lines 29 and 30, begin a new paragraph and insert:

18 **"(d) In conducting a child fatality review, the statewide child**
19 **fatality review committee shall determine whether:**

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

23 **If the statewide child fatality review committee determines that an**
24 **individual person may have committed a criminal act, the**
25 **statewide child fatality review committee shall inform the**
26 **prosecuting attorney of the county where the incident occurred of**
27 **the possible criminal act and shall forward to the prosecuting**
28 **attorney all documents concerning the possible criminal act that**
29 **the statewide child fatality review committee possesses."**

30 Renumber all SECTIONS consecutively.
(Reference is to ESB 286 as printed February 24, 2012.)

Representative DeLaney