
HOUSE BILL No. 1343

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-9-2; IC 31-25-2; IC 31-26-7.

Synopsis: Department of child services reporting; kinship caregiving. Requires the department of child services (department) to submit annually a report to the legislative council concerning turnover rates and information relating to the turnover of caseworkers. Requires the department to submit annually: (1) an affidavit affirming that each caseworker's caseload does not exceed the amount allowed under law; or (2) if the department determines that a caseworker's caseload has exceeded the amount allowed under law at any time during the year, a report containing certain information regarding caseworkers' caseloads. Provides that an appropriation to the department: (1) does not revert at the end of any state fiscal year but remains available for the purposes of the appropriation in subsequent state fiscal years; and (2) is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose except to assign or reassign, upon request, an appropriation to the department from one purpose to another purpose of the department. Requires the department to establish a minimum of three kinship care navigator pilot projects to assist kinship caregivers with understanding and navigating the system of services for children in out-of-home care. Requires the department to report annually to the legislative council and governor on the implementation of the kinship care navigator pilot projects with recommendations on statewide implementation of the pilot projects beginning one year after implementation of the pilot projects. Requires the department to: (1) provide financial assistance for not more than six months to a kinship caregiver with whom the department has made an out-of-home placement of a child; (2) create certain written guidelines
(Continued next page)

C
O
P
Y

Effective: July 1, 2012.

Summers

January 11, 2012, read first time and referred to Committee on Family, Children and Human Affairs.



Digest Continued

for kinship caregivers; (3) provide the written guidelines to each kinship caregiver before a child is placed with the kinship caregiver or at the time the child is placed with the kinship caregiver; and (4) assemble an advisory group to make recommendations concerning curriculum and information that should be provided in training courses for kinship caregivers, develop an appropriate curriculum for training courses for kinship caregivers, and administer training courses for kinship caregivers.

C
o
p
y



Introduced

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

C
O
P
Y

HOUSE BILL No. 1343

A BILL FOR 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:

- 1 SECTION 1. IC 31-9-2-72.5, AS ADDED BY P.L.153-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 72.5. (a) "Kinship caregiver", for purposes of
4 ~~IC 31-25-2-20~~, **IC 31-25-2-26** and **IC 31-26-7**, means a person who is:
5 (1) at least eighteen (18) years of age;
6 (2) related to a child by blood, adoption, or marriage or is a
7 godparent or stepparent of the child; and
8 (3) the primary caregiver for and provider of financial support of
9 a child described in subdivision (2) who is residing with the
10 person.
11 (b) The term includes a grandparent, a great grandparent, a sibling,
12 an uncle, an aunt, a nephew, a niece, or a first cousin.
13 SECTION 2. IC 31-9-2-72.6, AS ADDED BY P.L.153-2007,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 72.6. "Kinship care navigator", for purposes of



1 ~~IC 31-25-2-20~~; **IC 31-25-2-26** and **IC 31-26-7**, means a person that
 2 **who** assists kinship caregivers with understanding and navigating the
 3 system of services for children in out-of-home care under the pilot
 4 projects established under ~~IC 31-25-2-20~~. **IC 31-25-2-26**.

5 SECTION 3. IC 31-9-2-103.6, AS ADDED BY P.L.146-2008,
 6 SECTION 549, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2012]: Sec. 103.6. "Region", for purposes of
 8 this title, refers to an area in Indiana designated as a region by the
 9 department. However, for purposes of:

- 10 (1) ~~IC 31-25-2-20~~; **IC 31-25-2-26**, the term refers to a region
 11 established under ~~IC 31-25-2-20~~; **IC 31-25-2-26**; and
 12 (2) IC 31-26-6, the term refers to a service region established
 13 under IC 31-26-6-3.

14 SECTION 4. IC 31-9-2-131.5 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: **Sec. 131.5. "Turnover rate", for**
 17 **purposes of IC 31-25-2-23, means the number of caseworkers that**
 18 **leave employment with the department of child services each year**
 19 **in a specific region divided by the number of total caseworkers**
 20 **employed by the department of child services for that region.**

21 SECTION 5. IC 31-25-2-23 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2012]: **Sec. 23. (a) The department shall submit a report to the**
 24 **legislative council on or before December 1 of each year that**
 25 **contains the following:**

- 26 (1) **The turnover rate of caseworkers each year for each**
 27 **region.**
 28 (2) **For any region that has a turnover rate that exceeds**
 29 **fifteen percent (15%), a plan that:**
 30 (A) **details the measures that the department intends to**
 31 **implement to reduce the percentage below fifteen percent**
 32 **(15%) by December of the following year; and**
 33 (B) **includes the following information:**
 34 (i) **Whether the qualifications and experience**
 35 **requirements for the caseworker positions are**
 36 **appropriate for the level and skill required for the**
 37 **positions.**
 38 (ii) **A description of the supervisory and support tools**
 39 **provided to caseworkers for addressing volatile**
 40 **situations.**
 41 (iii) **A determination by the department of whether the**
 42 **supervisory and support tools described under item (ii)**

C
o
p
y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

are sufficient to help caseworkers manage volatile situations.

(iv) Whether a caseworker is able to fully use the caseworker's judgment and training in managing the caseworker's cases.

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

SECTION 6. IC 31-25-2-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 24. (a) Unless subsection (b) applies, the department shall submit an affidavit to the legislative council on or before December 1 of each year affirming that each caseworker's caseload does not exceed the amount allowed under section 5 of this chapter.

(b) If the department determines that a caseworker's caseload has exceeded the amount allowed under section 5 of this chapter at any time during the year, the department shall submit a report to the legislative council on or before December 1 of that year that contains the following:

- (1) The number of caseworkers whose caseloads have exceeded the amount allowed under section 5 of this chapter.
- (2) The number of cases by which each caseworker's caseload exceeded the amount allowed under section 5 of this chapter.
- (3) The period during which each caseworker's caseload exceeded the amount allowed under section 5 of this chapter.
- (4) The reasons the additional cases were assigned to each caseworker described under subdivision (1).
- (5) The department's plan to remedy and prevent the exceeding of the maximum caseload allowed under section 5 of this chapter for all caseworkers in the future.

(c) The:

- (1) affidavit submitted under subsection (a); and
 - (2) any report submitted under subsection (b);
- must be in an electronic format under IC 5-14-6.

SECTION 7. IC 31-25-2-25 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 25. (a) An appropriation to the department:

- (1) is to fund the responsibilities of the department specified in section 7 of this chapter;
- (2) does not revert at the end of any state fiscal year but remains available for the purposes of the appropriation in subsequent state fiscal years, notwithstanding IC 4-13-2-19 or any other law; and

C
O
P
Y



1 **(3) is not subject to transfer to any other fund or to transfer,**
 2 **assignment, or reassignment for any other use or purpose by:**

3 **(A) the state board of finance notwithstanding IC 4-9.1-1-7,**
 4 **IC 4-13-2-23, or any other law; or**

5 **(B) the budget agency notwithstanding IC 4-12-1-12 or any**
 6 **other law.**

7 **However, the budget agency may assign or reassign an**
 8 **appropriation to the department from one (1) purpose of the**
 9 **department to another purpose of the department to meet the most**
 10 **critical needs of children and families in Indiana upon request**
 11 **from the department.**

12 **(b) This subsection applies notwithstanding IC 4-13-2-18 or any**
 13 **other law. The department shall expend amounts appropriated to**
 14 **the department for the purposes of the department in the state**
 15 **fiscal year for which the appropriation is made or encumber the**
 16 **appropriated amounts within that state fiscal year for expenditure**
 17 **within a reasonable period following the end of that state fiscal**
 18 **year. The department may not withhold or reduce a request for an**
 19 **allotment of an amount appropriated to the department in order**
 20 **to revert or fail to expend an appropriation to the department. To**
 21 **the extent that an appropriation has not been previously allotted,**
 22 **the budget agency shall allot an amount appropriated to the**
 23 **department for the purposes of the department upon request by**
 24 **the department.**

25 **SECTION 8. IC 31-25-2-26 IS ADDED TO THE INDIANA CODE**
 26 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 27 **1, 2012]: Sec. 26. (a) The department shall establish a minimum of**
 28 **three (3) kinship care navigator pilot projects to assist kinship**
 29 **caregivers with understanding and navigating the system of**
 30 **services for children in out-of-home care.**

31 **(b) The proposal under subsection (a) must seek to do the**
 32 **following:**

33 **(1) Divide the whole state into the following three (3) regions:**

34 **(A) Northern Indiana.**

35 **(B) Central Indiana.**

36 **(C) Southern Indiana.**

37 **(2) Establish at least one (1) kinship care navigator pilot**
 38 **project in each region described under subdivision (1).**

39 **(c) A person who acts as a kinship care navigator under the**
 40 **kinship care navigator pilot project shall be required to do the**
 41 **following:**

42 **(1) Have an understanding of the various state agency systems**

C
O
P
Y



- 1 **servicing kinship caregivers.**
- 2 **(2) Work in partnership with local community service**
- 3 **providers.**
- 4 **(3) Track trends, concerns, and other factors related to**
- 5 **kinship caregivers.**
- 6 **(4) Assist in establishing stable, respectful relationships**
- 7 **between kinship caregivers and department staff.**
- 8 **(d) The department shall report annually to the:**
- 9 **(1) legislative council in an electronic format under IC 5-14-6;**
- 10 **and**
- 11 **(2) governor;**
- 12 **on the implementation of the kinship care navigator pilot projects**
- 13 **with recommendations on statewide implementation of the pilot**
- 14 **projects beginning one (1) year after implementation of the pilot**
- 15 **projects.**
- 16 **(e) The report under subsection (d) must:**
- 17 **(1) provide data that demonstrates whether the kinship care**
- 18 **navigator pilot projects reduced barriers of access to services**
- 19 **by kinship caregivers;**
- 20 **(2) identify statutory and administrative barriers for kinship**
- 21 **caregivers; and**
- 22 **(3) provide recommendations to reduce or eliminate the**
- 23 **barriers to services without adverse consequences to children**
- 24 **placed with kinship caregivers.**
- 25 **(f) The department shall apply for any available federal funding**
- 26 **for the projects under this section.**
- 27 **(g) This section expires January 1, 2016.**
- 28 **SECTION 9. IC 31-26-7 IS ADDED TO THE INDIANA CODE AS**
- 29 **A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY**
- 30 **1, 2012]:**
- 31 **Chapter 7. Kinship Assistance and Information**
- 32 **Sec. 1. (a) The department shall provide financial assistance in**
- 33 **accordance with this chapter to a kinship caregiver with whom the**
- 34 **department has made an out-of-home placement of a child.**
- 35 **(b) Subject to subsection (c), a kinship caregiver described**
- 36 **under subsection (a) shall receive the same financial assistance for**
- 37 **the placement of a child with the kinship caregiver, including any**
- 38 **funds received at the time of the placement of a child, that a**
- 39 **licensed foster family home would receive for the placement of a**
- 40 **child in a licensed foster family home.**
- 41 **(c) Financial assistance provided under this chapter begins at**
- 42 **the time the child is placed with a kinship caregiver and ceases at**

COPY



1 the earlier of the following:

2 (1) Six (6) months after the date that the kinship caregiver
3 begins receiving financial assistance under this chapter.

4 (2) At the time the kinship caregiver begins to receive
5 assistance as a licensed foster family home.

6 (3) At the time the child no longer resides with the kinship
7 caregiver.

8 Sec. 2. The department shall create written guidelines for
9 kinship caregivers that include the following:

10 (1) A statement that:

11 (A) a kinship caregiver may receive assistance under this
12 chapter for a maximum of six (6) months;

13 (B) if the kinship caregiver would like to continue to
14 receive assistance for the child from the department, the
15 kinship caregiver is required to become a licensed foster
16 family home; and

17 (C) even if the kinship caregiver believes that the
18 out-of-home placement of the child with the kinship
19 caregiver is temporary, the kinship caregiver should
20 pursue obtaining a license as a foster family home to
21 ensure the kinship caregiver receives assistance for as long
22 as the child resides with the kinship caregiver.

23 (2) Information that describes how a kinship caregiver can
24 become a licensed family foster home.

25 (3) Information concerning the kinship navigator pilot
26 projects established under IC 31-25-2-26.

27 Sec. 3. The department shall provide the written guidelines
28 created under section 2 of this chapter to each kinship caregiver
29 before a child is placed with the kinship caregiver or at the time the
30 child is placed with the kinship caregiver.

31 Sec. 4. (a) The department shall do the following:

32 (1) Assemble, not later than September 1, 2012, an advisory
33 group that includes caseworkers and kinship caregivers from
34 around the state to make recommendations concerning
35 curriculum and information that should be provided in
36 training courses for kinship caregivers.

37 (2) Develop an appropriate curriculum for training courses
38 for kinship caregivers that specifically address the unique
39 needs of kinship caregivers.

40 (3) Administer training courses for kinship caregivers.

41 (b) An advisory group assembled under subsection (a)(1) shall
42 provide recommendations to the department not later than

C
O
P
Y



1 **December 31, 2012.**

**C
o
p
y**

