

IC 31-33-7

Chapter 7. Receipt of Reports of Suspected Child Abuse or Neglect

IC 31-33-7-1

Arrangement for receipt of reports

Sec. 1. The department shall arrange for receipt, on a twenty-four (24) hour, seven (7) day per week basis, of all reports under this article of suspected child abuse or neglect.

As added by P.L. 1-1997, SEC. 16. Amended by P.L. 234-2005, SEC. 108.

IC 31-33-7-2

Standardized phone access system

Sec. 2. To carry out section 1 of this chapter, the department must use a phone access system for receiving calls that is standardized among all counties. The department shall adopt rules under IC 4-22-2 for the administration of this section.

As added by P.L. 1-1997, SEC. 16. Amended by P.L. 234-2005, SEC. 109.

IC 31-33-7-3

Child abuse hotline

Sec. 3. The department shall cause to be inserted in each local telephone directory in the county a listing of the child abuse hotline's telephone number under the name "child abuse hotline". The child abuse hotline number under this section must be included with the other emergency numbers listed in the directory.

As added by P.L. 1-1997, SEC. 16. Amended by P.L. 234-2005, SEC. 110.

IC 31-33-7-4

Written report; contents

Sec. 4. (a) The department shall make a written report of a child who may be a victim of child abuse or neglect not later than forty-eight (48) hours after receipt of the oral report required of individuals by IC 31-33-5-4.

(b) Written reports under this section must be made on forms supplied by the administrator. The written reports must include, if known, the following information:

(1) The names and addresses of the following:

(A) The child.

(B) The child's parents, guardian, custodian, or other person responsible for the child's care.

(2) The child's age and sex.

(3) The nature and apparent extent of the child's injuries, abuse, or neglect, including any evidence of prior:

(A) injuries of the child; or

(B) abuse or neglect of the child or the child's siblings.

(4) The name of the person allegedly responsible for causing

the injury, abuse, or neglect.

(5) The source of the report.

(6) The person making the report and where the person can be reached.

(7) The actions taken by the reporting source, including the following:

- (A) Taking of photographs and x-rays.
- (B) Removal or keeping of the child.
- (C) Notifying the coroner.

(8) The written documentation required by IC 31-34-2-3 if a child was taken into custody without a court order.

(9) Any other information that:

- (A) the director requires by rule; or
- (B) the person making the report believes might be helpful.

As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.111.

IC 31-33-7-5

Written report; copies made available to law enforcement agencies, prosecuting attorney, and coroner

Sec. 5. A copy of the written report of the department shall immediately be made available to:

- (1) the appropriate law enforcement agency;
- (2) the prosecuting attorney; and
- (3) in a case involving death, the coroner for the coroner's consideration.

As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.112.

IC 31-33-7-6

Coroner's investigation and report

Sec. 6. Upon receiving a written report under section 5(3) of this chapter, the coroner shall:

- (1) accept a report for investigation; and
- (2) report the coroner's findings to:
 - (A) the appropriate law enforcement agency;
 - (B) the prosecuting attorney;
 - (C) the department; and
 - (D) the hospital if the institution making the report is a hospital.

As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.113.

IC 31-33-7-6.5

Expungement of child abuse or neglect information

Sec. 6.5. Child abuse or neglect information may be expunged under IC 31-39-8 if the probative value of the information is so doubtful as to outweigh its validity. Child abuse or neglect information shall be expunged if it is determined to be unsubstantiated after:

- (1) an assessment by the department of a report of a child who may be a victim of child abuse or neglect; or
- (2) a court proceeding.

As added by P.L.2-1998, SEC.78. Amended by P.L.234-2005, SEC.114; P.L.131-2009, SEC.40.

IC 31-33-7-7

Law enforcement agency investigation and communication of information

Sec. 7. (a) When a law enforcement agency receives an initial report under IC 31-33-5-4 that a child may be a victim of child abuse or neglect, the law enforcement agency shall:

(1) immediately communicate the report to the department, whether or not the law enforcement agency has reason to believe there exists an imminent danger to the child's health or welfare; and

(2) conduct an immediate, onsite assessment of the report along with the department whenever the law enforcement agency has reason to believe that an offense has been committed.

(b) In all cases, the law enforcement agency shall forward any information, including copies of assessment reports, on incidents of cases in which a child may be a victim of child abuse or neglect, whether or not obtained under this article, to:

(1) the department; and

(2) the juvenile court under IC 31-34-7. *As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.115; P.L.131-2009, SEC.41.*

IC 31-33-7-8

Reports to health care providers and schools; contents; confidentiality

Sec. 8. (a) This section applies if the department receives a report of suspected child abuse or neglect from:

(1) a hospital;

(2) a community mental health center;

(3) a managed care provider (as defined in IC 12-7-2-127(b));

(4) a referring physician;

(5) a dentist;

(6) a licensed psychologist; or

(7) a school.

(b) Not later than thirty (30) days after the date the department receives a report of suspected child abuse or neglect from a person described in subsection (a), the department shall send a report to:

(1) the administrator of the hospital;

(2) the community mental health center;

(3) the managed care provider;

(4) the referring physician;

(5) the dentist; or

(6) the principal of the school.

The report must contain the items listed in subsection (e) that are known at the time the report is sent.

(c) Not later than ninety (90) days after the date the department receives a report of suspected child abuse or neglect, the department shall send a report that contains any additional items listed in subsection (e) that were not covered in the prior report if available.

(d) The administrator, director, referring physician, dentist, licensed psychologist, or principal may appoint a designee to receive the report.

(e) A report made by the department under this section must contain the following information:

(1) The name of the alleged victim of child abuse or neglect.

(2) The name of the alleged perpetrator and the alleged perpetrator's relationship to the alleged victim.

- (3) Whether the case is closed.
 - (4) Whether information concerning the case has been expunged.
 - (5) The name of any agency to which the alleged victim has been referred.
 - (6) Whether the department has made an assessment of the case and has not taken any further action.
 - (7) Whether a substantiated case of child abuse or neglect was informally adjusted.
 - (8) Whether the alleged victim was referred to the juvenile court as a child in need of services.
 - (9) Whether the alleged victim was returned to the victim's home.
 - (10) Whether the alleged victim was placed in residential care outside the victim's home.
 - (11) Whether a wardship was established for the alleged victim.
 - (12) Whether criminal action is pending or has been brought against the alleged perpetrator.
 - (13) A brief description of any casework plan that has been developed by the department.
 - (14) The caseworker's name and telephone number.
 - (15) The date the report is prepared.
 - (16) Other information that the department may prescribe.
- (f) A report made under this section:
- (1) is confidential; and
 - (2) may be made available only to:
 - (A) the agencies named in this section; and
 - (B) the persons and agencies listed in IC 31-33-18-2.

As added by P.L. 1-1997, SEC. 16. Amended by P.L. 234-2005, SEC. 116; P.L. 131-2009, SEC. 42.