



February 20, 2024

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**ENGROSSED  
HOUSE BILL No. 1123**

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DIGEST OF HB 1123 (Updated February 19, 2024 10:13 am - DI 119)

**Citations Affected:** IC 31-9; IC 31-25; IC 31-33; IC 34-30.

**Synopsis:** Child advocacy centers. Provides that the department of child services may use a child advocacy center to coordinate a multidisciplinary team for responding to reports involving child abuse or neglect. Requires the child advocacy center to: (1) coordinate a multidisciplinary team that consists of specified professionals; (2) ensure that the multidisciplinary team members have specified training; (3) provide a dedicated child-focused setting designed to provide a safe, comfortable, and neutral place for a forensic interview and other  
(Continued next page)

**Effective:** July 1, 2024.

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**DeVon, Olthoff, Goss-Reaves,  
Jackson**

(SENATE SPONSOR — MESSMER)

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January 8, 2024, read first time and referred to Committee on Family, Children and Human Affairs.

January 18, 2024, reported — Do Pass.

January 22, 2024, read second time, ordered engrossed. Engrossed.

January 23, 2024, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 5, 2024, read first time and referred to Committee on Family and Children Services.

February 19, 2024, amended, reported favorably — Do Pass.

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EH 1123—LS 6450/DI 148



## Digest Continued

child advocacy center services; (4) use written protocols; (5) use a case tracking system to provide information on essential demographic and case information; and (6) verify that multidisciplinary team members responsible for providing medical evaluations and mental health services have specified training. Provides civil immunity for a child advocacy center's employees, volunteers, and board members under certain circumstances. Allows otherwise confidential information regarding an investigation of child abuse or neglect to be made available to a child advocacy center when the child advocacy center has before it an investigation of child abuse or neglect in which it is facilitating a forensic interview or facilitating a case discussion or case review.



February 20, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1123

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 31-9-2-14.2 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]: **Sec. 14.2. "Child advocacy center", for purposes of**  
4 **IC 31-25-2-14.5 and IC 31-33-18-2, means a child focused, trauma**  
5 **informed community based organization that:**

6 (1) is:  
7 (A) recognized by the Indiana Chapter of National  
8 Children's Alliance; and  
9 (B) designed to collaborate on reports of child abuse or  
10 neglect;  
11 (2) coordinates a multidisciplinary team; and  
12 (3) facilitates forensic interviews.

13 SECTION 2. IC 31-9-2-47.1 IS ADDED TO THE INDIANA CODE  
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2024]: **Sec. 47.1. "Forensic interview", for purposes of section**  
16 **14.2 of this chapter and IC 31-25-2-14.5, means an interview in**  
17 **response to a report of child abuse or neglect conducted by a**

**EH 1123—LS 6450/DI 148**



1 professional specially trained in a nationally recognized model  
2 using a multidisciplinary team approach.

3 SECTION 3. IC 31-25-2-14.5 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2024]: **Sec. 14.5. (a) The department may use**  
6 **a child advocacy center to coordinate a multidisciplinary team for**  
7 **responding to, and through the conclusion of, reports involving**  
8 **child abuse or neglect.**

9 **(b) A child advocacy center shall do the following:**

10 **(1) Coordinate a multidisciplinary team that consists of a**  
11 **representative from or described by each of the following:**

12 **(A) The child advocacy center.**

13 **(B) Law enforcement.**

14 **(C) The department.**

15 **(D) The prosecuting attorney's office.**

16 **(E) A medical provider.**

17 **(F) A mental health provider.**

18 **(G) A victim advocate.**

19 **Multidisciplinary team members may fill more than one (1)**  
20 **role, within the scope of the team member's practice, as**  
21 **needed.**

22 **(2) Offer cultural competency and diversity training to the**  
23 **multidisciplinary team members.**

24 **(3) Provide a dedicated child-focused setting designed to**  
25 **provide a safe, comfortable, and neutral place for a forensic**  
26 **interview and other child advocacy center services.**

27 **(4) Use written protocols signed by each member of the**  
28 **multidisciplinary team.**

29 **(5) Use a case tracking system to provide information on**  
30 **essential demographic and case information.**

31 **(6) Verify that multidisciplinary team members who are**  
32 **responsible for providing:**

33 **(A) medical evaluations have specific training in child**  
34 **abuse or child sexual abuse examinations; and**

35 **(B) mental health services are trained in and deliver**  
36 **trauma-focused, evidence-supported mental health**  
37 **treatments.**

38 **(c) Except as provided in subsection (d), the files, reports,**  
39 **records, communications, and working papers used or developed**  
40 **in providing services through a child advocacy center are**  
41 **confidential and are not public records.**

42 **(d) A multidisciplinary team member may share with other**



1 multidisciplinary team members any information or records  
 2 concerning the child, the child's family, or the person who is the  
 3 subject of the investigation of suspected child abuse or neglect for  
 4 the purpose of:

- 5 (1) facilitating a forensic interview;
- 6 (2) facilitating a case discussion or case review; or
- 7 (3) providing services to the child or the child's caregivers.

8 **The information shared under this subsection remains confidential.**

9 (e) Except as provided in subsection (f), a:

- 10 (1) member of a child advocacy center's board of directors; or
- 11 (2) volunteer or employee of a child advocacy center;

12 is immune from civil liability for acts or omissions related to the  
 13 individual's participation in the multidisciplinary team response  
 14 described in subsection (a).

15 (f) An individual is not immune from civil liability under  
 16 subsection (e) if the:

- 17 (1) act or omission amounts to:
  - 18 (A) gross negligence; or
  - 19 (B) willful or wanton misconduct; or
- 20 (2) individual has been charged with or suspected of abusing  
 21 or neglecting the child who is the subject of the investigation  
 22 or services provided.

23 SECTION 4. IC 31-33-18-2, AS AMENDED BY P.L.77-2023,  
 24 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2024]: Sec. 2. Except as otherwise prohibited by federal law,  
 26 the reports and other material described in section 1(a) of this chapter  
 27 and the unredacted reports and other material described in section 1(b)  
 28 of this chapter shall be made available only to the following:

- 29 (1) Persons authorized by this article.
- 30 (2) A legally mandated public or private child protective agency  
 31 investigating a report of child abuse or neglect or treating a child  
 32 or family that is the subject of a report or record.
- 33 (3) Any of the following who are investigating a report of a child  
 34 who may be a victim of child abuse or neglect:
  - 35 (A) A police officer or other law enforcement agency.
  - 36 (B) A prosecuting attorney.
  - 37 (C) A coroner, in the case of the death of a child.
- 38 (4) A physician who has before the physician a child whom the  
 39 physician reasonably suspects may be a victim of child abuse or  
 40 neglect.
- 41 (5) An individual legally authorized to place a child in protective  
 42 custody if:



- 1 (A) the individual has before the individual a child whom the  
 2 individual reasonably suspects may be a victim of abuse or  
 3 neglect; and  
 4 (B) the individual requires the information in the report or  
 5 record to determine whether to place the child in protective  
 6 custody.
- 7 (6) An agency having the legal responsibility or authorization to  
 8 care for, treat, or supervise a child who is the subject of a report  
 9 or record or a parent, guardian, custodian, or other person who is  
 10 responsible for the child's welfare.
- 11 (7) An individual named in the report or record who is alleged to  
 12 be abused or neglected or, if the individual named in the report is  
 13 a child or is otherwise incompetent, the individual's guardian ad  
 14 litem or the individual's court appointed special advocate, or both.
- 15 (8) Each parent, guardian, custodian, or other person responsible  
 16 for the welfare of a child named in a report or record and an  
 17 attorney of the person described under this subdivision, with  
 18 protection for the identity of reporters and other appropriate  
 19 individuals.
- 20 (9) A court, for redaction of the record in accordance with section  
 21 1.5 of this chapter, or upon the court's finding that access to the  
 22 records may be necessary for determination of an issue before the  
 23 court. However, except for disclosure of a redacted record in  
 24 accordance with section 1.5 of this chapter, access is limited to in  
 25 camera inspection unless the court determines that public  
 26 disclosure of the information contained in the records is necessary  
 27 for the resolution of an issue then pending before the court.
- 28 (10) A grand jury upon the grand jury's determination that access  
 29 to the records is necessary in the conduct of the grand jury's  
 30 official business.
- 31 (11) An appropriate state or local official responsible for child  
 32 protection services or legislation carrying out the official's official  
 33 functions.
- 34 (12) The community child protection team appointed under  
 35 IC 31-33-3 (or IC 31-6-11-14 before its repeal), upon request, to  
 36 enable the team to carry out the team's purpose under IC 31-33-3.
- 37 (13) A person about whom a report has been made, with  
 38 protection for the identity of:
- 39 (A) any person reporting known or suspected child abuse or  
 40 neglect; and  
 41 (B) any other person if the person or agency making the  
 42 information available finds that disclosure of the information



- 1 would be likely to endanger the life or safety of the person.
- 2 (14) An employee of the department, a caseworker, or a juvenile
- 3 probation officer conducting a criminal history check under
- 4 IC 31-26-5, IC 31-34, or IC 31-37 to determine the
- 5 appropriateness of an out-of-home placement for a:
- 6 (A) child at imminent risk of placement;
- 7 (B) child in need of services; or
- 8 (C) delinquent child.
- 9 The results of a criminal history check conducted under this
- 10 subdivision must be disclosed to a court determining the
- 11 placement of a child described in clauses (A) through (C).
- 12 (15) A local child fatality review team established under
- 13 IC 16-49-2.
- 14 (16) The statewide child fatality review committee established by
- 15 IC 16-49-4.
- 16 (17) The department.
- 17 (18) The division of family resources, if the investigation report:
- 18 (A) is classified as substantiated; and
- 19 (B) concerns:
- 20 (i) an applicant for a license to operate;
- 21 (ii) a person licensed to operate;
- 22 (iii) an employee of; or
- 23 (iv) a volunteer providing services at;
- 24 a child care center licensed under IC 12-17.2-4 or a child care
- 25 home licensed under IC 12-17.2-5.
- 26 (19) A citizen review panel established under IC 31-25-2-20.4.
- 27 (20) The department of child services ombudsman established by
- 28 IC 4-13-19-3.
- 29 (21) The secretary of education with protection for the identity of:
- 30 (A) any person reporting known or suspected child abuse or
- 31 neglect; and
- 32 (B) any other person if the person or agency making the
- 33 information available finds that disclosure of the information
- 34 would be likely to endanger the life or safety of the person.
- 35 (22) The state child fatality review coordinator employed by the
- 36 Indiana department of health under IC 16-49-5-1.
- 37 (23) A person who operates a child caring institution, group
- 38 home, or secure private facility if all the following apply:
- 39 (A) The child caring institution, group home, or secure private
- 40 facility is licensed under IC 31-27.
- 41 (B) The report or other materials concern:
- 42 (i) an employee of;



- 1 (ii) a volunteer providing services at; or  
 2 (iii) a child placed at;  
 3 the child caring institution, group home, or secure private  
 4 facility.  
 5 (C) The allegation in the report occurred at the child caring  
 6 institution, group home, or secure private facility.  
 7 (24) A person who operates a child placing agency if all the  
 8 following apply:  
 9 (A) The child placing agency is licensed under IC 31-27.  
 10 (B) The report or other materials concern:  
 11 (i) a child placed in a foster home licensed by the child  
 12 placing agency;  
 13 (ii) a person licensed by the child placing agency to operate  
 14 a foster family home;  
 15 (iii) an employee of the child placing agency or a foster  
 16 family home licensed by the child placing agency; or  
 17 (iv) a volunteer providing services at the child placing  
 18 agency or a foster family home licensed by the child placing  
 19 agency.  
 20 (C) The allegations in the report occurred in the foster family  
 21 home or in the course of employment or volunteering at the  
 22 child placing agency or foster family home.  
 23 (25) The National Center for Missing and Exploited Children.  
 24 (26) A local domestic violence fatality review team established  
 25 under IC 12-18-8, as determined by the department to be relevant  
 26 to the death or near fatality that the local domestic violence  
 27 fatality review team is reviewing.  
 28 (27) The statewide domestic violence fatality review committee  
 29 established under IC 12-18-9-3, as determined by the department  
 30 to be relevant to the death or near fatality that the statewide  
 31 domestic violence fatality review committee is reviewing.  
 32 (28) The statewide maternal mortality review committee  
 33 established under IC 16-50-1-3, as determined by the department  
 34 to be relevant to the case of maternal morbidity or maternal  
 35 mortality that the statewide maternal mortality review committee  
 36 is reviewing.  
 37 (29) A local fetal-infant mortality review team established under  
 38 IC 16-49-6, as determined by the department to be relevant to the  
 39 case of fetal or infant fatality that the local fetal-infant mortality  
 40 review team is reviewing.  
 41 (30) A suicide and overdose fatality review team established  
 42 under IC 16-49.5-2, as determined by the department to be





1 relevant to the case of a suicide or overdose fatality that the  
2 suicide and overdose fatality review team is reviewing.  
3 (31) The office of administrative law proceedings for a matter that  
4 is the subject of an administrative proceeding before the office of  
5 administrative law proceedings.  
6 (32) A tribal representative, agency, or organization authorized by  
7 the Indian child's tribe to care for, diagnose, treat, review,  
8 evaluate, or monitor active efforts regarding an Indian child, and  
9 the Indian child's parent, guardian, or custodian.  
10 (33) The United States Department of State and foreign  
11 governments to comply with federal law and treaties.  
12 **(34) A child advocacy center when the child advocacy center**  
13 **has before it an investigation of child abuse or neglect in**  
14 **which it is facilitating a forensic interview or facilitating a**  
15 **case discussion or case review.**  
16 SECTION 5. IC 34-30-2.1-506.2 IS ADDED TO THE INDIANA  
17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE JULY 1, 2024]: **Sec. 506.2. IC 31-25-2-14.5**  
19 **(Concerning child advocacy center volunteers, employees, and**  
20 **board of directors members).**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1123 as introduced.)

DEVON

Committee Vote: Yeas 10, Nays 0

## COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred House Bill No. 1123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 4, after "focused" insert ",".

Page 2, line 14, delete "Child protective services." and insert "**The department.**".

Page 2, line 27, delete "for case review." and insert "**signed by each member of the multidisciplinary team.**".

Page 3, line 8, delete "an agent or employee of" and insert "**a:**

**(1) member of a child advocacy center's board of directors; or**

**(2) volunteer or employee of a child advocacy center;**".

Page 3, line 9, delete "a child advocacy center".

Page 3, line 9, beginning with "is" begin a new line blocked left.

Page 3, line 10, delete "agent's or employee's" and insert "**individual's**".

Page 3, line 12, delete "The agent or employee" and insert "**An individual**".

Page 3, line 12, after "liability" insert "**under subsection (e)**".

Page 3, line 17, delete "agent or employee" and insert "**individual**".

Page 3, delete line 35.

Page 7, between lines 9 and 10, begin a new line block indented and insert:

**"(34) A child advocacy center when the child advocacy center has before it an investigation of child abuse or neglect in which it is facilitating a forensic interview or facilitating a case discussion or case review."**

EH 1123—LS 6450/DI 148



Page 7, line 13, delete "agents and employees of a child advocacy center)." and insert "**child advocacy center volunteers, employees, and board of directors members**).".

and when so amended that said bill do pass.

(Reference is to HB 1123 as printed January 18, 2024.)

WALKER G, Chairperson

Committee Vote: Yeas 8, Nays 0.

