



February 6, 2025

HOUSE BILL No. 1412

DIGEST OF HB 1412 (Updated February 5, 2025 1:39 pm - DI 106)

Citations Affected: IC 12-17.2; IC 25-1; IC 31-33.

Synopsis: Reporting of child abuse or neglect. Provides that an individual's duty to report suspected child abuse or neglect is may only be delegated to another person if certain conditions are met. Requires that if a report of suspected child abuse or neglect alleges that a staff member, youth coach, or volunteer of an institution, school, facility, organization, or agency is the abuser, local law enforcement shall investigate to determine whether the institution, school, facility, organization, or agency knew that the alleged abuse was happening and failed to report the alleged abuse. Allows law enforcement to consider certain facts when determining whether the institution, school, facility, organization, or agency knew about the alleged abuse. Increases the penalty for failure by a member of the staff of a public or private institution, school, facility, organization, or agency to report suspected child abuse or neglect to a Class A misdemeanor (instead of a Class B misdemeanor, under current law), and increases the penalty to a Level 6 felony if the person has a prior conviction for failure to report abuse or neglect. Makes conforming changes.

Effective: July 1, 2025.

Cash, Olthoff

January 13, 2025, read first time and referred to Committee on Family, Children and Human Affairs.

January 30, 2025, amended, reported — Do Pass. Reassigned to Committee on Courts and Criminal Code pursuant to Rule 126.3.

February 6, 2025, amended, reported — Do Pass.

HB 1412—LS 7591/DI 148



February 6, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1412

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 12-17.2-3.5-8.5, AS AMENDED BY P.L.183-2017,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 8.5. (a) A provider shall provide to all employees
4 and volunteers of the provider the written material prepared and made
5 available by the division under subsection (c).
6 (b) An employee or a volunteer of a provider who has reason to
7 believe that a child in the provider's care is a victim of child abuse or
8 neglect shall make a report as required under IC 31-33-5.
9 (c) The division shall do the following:
10 (1) Prepare written material specifying the following:
11 (A) The duty to report known or suspected child abuse or
12 neglect under IC 31-33-5.
13 (B) That knowing failure to make a report required by:
14 (i) IC 31-33-5-1; **or**
15 (ii) IC 31-33-5-2; **or**
16 ~~(iii) IC 31-33-5-2.5;~~
17 is a ~~Class B~~ **Class A** misdemeanor under IC 31-33-22-1.

HB 1412—LS 7591/DI 148



- 1 (2) Make the written material under subdivision (1) available to
 2 providers.
- 3 SECTION 2. IC 25-1-9-4, AS AMENDED BY P.L.35-2018,
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2025]: Sec. 4. (a) A practitioner shall conduct the
 6 practitioner's practice in accordance with the standards established by
 7 the board regulating the profession in question and is subject to the
 8 exercise of the disciplinary sanctions under section 9 of this chapter if,
 9 after a hearing, the board finds:
- 10 (1) a practitioner has:
- 11 (A) engaged in or knowingly cooperated in fraud or material
 12 deception in order to obtain a license to practice, including
 13 cheating on a licensing examination;
- 14 (B) engaged in fraud or material deception in the course of
 15 professional services or activities;
- 16 (C) advertised services in a false or misleading manner; or
- 17 (D) been convicted of a crime or assessed a civil penalty
 18 involving fraudulent billing practices, including fraud under:
- 19 (i) Medicaid (42 U.S.C. 1396 et seq.);
 20 (ii) Medicare (42 U.S.C. 1395 et seq.);
 21 (iii) the children's health insurance program under
 22 IC 12-17.6; or
 23 (iv) insurance claims;
- 24 (2) a practitioner has been convicted of a crime that:
- 25 (A) has a direct bearing on the practitioner's ability to continue
 26 to practice competently; or
 27 (B) is harmful to the public;
- 28 (3) a practitioner has knowingly violated any state statute or rule,
 29 or federal statute or regulation, regulating the profession in
 30 question;
- 31 (4) a practitioner has continued to practice although the
 32 practitioner has become unfit to practice due to:
- 33 (A) professional incompetence that:
- 34 (i) may include the undertaking of professional activities
 35 that the practitioner is not qualified by training or experience
 36 to undertake; and
 37 (ii) does not include activities performed under
 38 IC 16-21-2-9;
- 39 (B) failure to keep abreast of current professional theory or
 40 practice;
- 41 (C) physical or mental disability; or
 42 (D) addiction to, abuse of, or severe dependency upon alcohol



- 1 or other drugs that endanger the public by impairing a
 2 practitioner's ability to practice safely;
- 3 (5) a practitioner has engaged in a course of lewd or immoral
 4 conduct in connection with the delivery of services to the public;
- 5 (6) a practitioner has allowed the practitioner's name or a license
 6 issued under this chapter to be used in connection with an
 7 individual who renders services beyond the scope of that
 8 individual's training, experience, or competence;
- 9 (7) a practitioner has had disciplinary action taken against the
 10 practitioner or the practitioner's license to practice in any state or
 11 jurisdiction on grounds similar to those under this chapter;
- 12 (8) a practitioner has diverted:
- 13 (A) a legend drug (as defined in IC 16-18-2-199); or
 14 (B) any other drug or device issued under a drug order (as
 15 defined in IC 16-42-19-3) for another person;
- 16 (9) a practitioner, except as otherwise provided by law, has
 17 knowingly prescribed, sold, or administered any drug classified
 18 as a narcotic, addicting, or dangerous drug to a habitue or addict;
- 19 (10) a practitioner has failed to comply with an order imposing a
 20 sanction under section 9 of this chapter;
- 21 (11) a practitioner has engaged in sexual contact with a patient
 22 under the practitioner's care or has used the practitioner-patient
 23 relationship to solicit sexual contact with a patient under the
 24 practitioner's care;
- 25 (12) a practitioner who is a participating provider of a health
 26 maintenance organization has knowingly collected or attempted
 27 to collect from a subscriber or enrollee of the health maintenance
 28 organization any sums that are owed by the health maintenance
 29 organization;
- 30 (13) a practitioner has assisted another person in committing an
 31 act that would be grounds for disciplinary sanctions under this
 32 chapter; or
- 33 (14) a practitioner has failed to report to the department of child
 34 services or a ~~local~~ **an appropriate** law enforcement agency
 35 suspected child abuse in accordance with IC 31-33-5.
- 36 (b) A practitioner who provides health care services to the
 37 practitioner's spouse is not subject to disciplinary action under
 38 subsection (a)(11).
- 39 (c) A certified copy of the record of disciplinary action is conclusive
 40 evidence of the other jurisdiction's disciplinary action under subsection
 41 (a)(7).
- 42 SECTION 3. IC 31-33-5-2, AS AMENDED BY P.L.183-2017,



1 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2025]: Sec. 2. (a) This section does not apply to an individual
 3 required to make a report under this article in the individual's capacity
 4 as a member of the staff of a hospital licensed under IC 16-21-2. An
 5 individual required to make a report under this article in the
 6 individual's capacity as a member of the staff of a hospital licensed
 7 under IC 16-21-2 is subject to section 2.5 of this chapter.

8 ~~(b)~~ (a) If an individual is required to make a report under this article
 9 in the individual's capacity as a member of the staff of a ~~medical~~ or
 10 ~~other~~ public or private institution, school, facility, **organization**, or
 11 agency, the individual shall immediately make a report to:

12 (1) the department; or

13 (2) the ~~local~~ **appropriate** law enforcement agency.

14 **The individual does not have discretion to decide not to report**
 15 **known or suspected child abuse or neglect, unless a report has**
 16 **already been made and documented by the individual in charge**
 17 **under subsection (d).**

18 (b) **An individual required to make a report of known or**
 19 **suspected child abuse or neglect may not delegate the duty to make**
 20 **the report to another individual, unless:**

21 (1) **the individual to whom the duty is being delegated is part**
 22 **of the child's care team and has personally been involved in**
 23 **the child's care; and**

24 (2) **the notification of suspected child abuse or neglect made**
 25 **to the individual described in subdivision (1) is in writing.**

26 (c) **The individual described in subsection (b)(1) shall**
 27 **immediately report the suspected child abuse or neglect to the**
 28 **appropriate law enforcement agency or the department. As soon**
 29 **as possible after making the report to law enforcement or the**
 30 **department, the individual described in subsection (b)(1) shall do**
 31 **the following:**

32 (1) **Record in writing that they were notified of suspected**
 33 **child abuse or neglect, including the identity of the person**
 34 **who notified them, the date and time that they received the**
 35 **notification, and the date and time that they reported the**
 36 **suspected child abuse or neglect to law enforcement or the**
 37 **department of child services.**

38 (2) **Place or cause to be placed in the child's medical file:**

39 (A) **the details included in the report to law enforcement or**
 40 **the department of child services, including the date and**
 41 **time;**

42 (B) **the condition of the child at the time the report was**



1 **made, if known; and**

2 **(C) any other relevant and necessary information.**

3 **(d)** After making the report, the individual **required to make the**
4 **report and the individual described in subsection (b)(1)** shall notify
5 the individual in charge of the institution, school, facility,
6 **organization**, or agency or the designated agent of the individual in
7 charge of the institution, school, facility, **organization**, or agency that
8 the report was made.

9 SECTION 4. IC 31-33-5-2.5 IS REPEALED [EFFECTIVE JULY
10 1, 2025]. Sec. 2:5: (a) This section applies only to an individual
11 required to make a report under this article in the individual's capacity
12 as a member of the staff of a hospital licensed under IC 16-21-2:

13 (b) If an individual is required to make a report under this article in
14 the individual's capacity as a member of the staff of a hospital licensed
15 under IC 16-21-2, the individual shall immediately notify the individual
16 in charge of the hospital or the designated agent of the individual in
17 charge of the hospital:

18 (c) An individual notified under subsection (b) shall immediately
19 report or cause a report to be made to:

20 (1) the department; or

21 (2) the local law enforcement agency.

22 SECTION 5. IC 31-33-5-4, AS AMENDED BY P.L.183-2017,
23 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2025]: Sec. 4. (a) **Except as provided in subsection (b)**, a
25 person who has a duty under this chapter to report that a child may be
26 a victim of child abuse or neglect shall immediately make an oral or
27 written report to:

28 (1) the department; or

29 (2) the ~~local~~ **appropriate** law enforcement agency.

30 **(b) A person who has a duty under section 2(c) of this chapter**
31 **to report that a child may be a victim of child abuse or neglect shall**
32 **immediately make an oral or written report to:**

33 (1) the department; or

34 (2) the **appropriate** law enforcement agency.

35 SECTION 6. IC 31-33-8.5 IS ADDED TO THE INDIANA CODE
36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2025]:

38 **Chapter 8.5. Investigation of a School, Facility, or Organization**

39 **Sec. 1. If a report made under IC 31-33-5 alleges that a staff**
40 **member, youth coach, or volunteer of an institution, school,**
41 **facility, organization, or agency is the abuser, local law**
42 **enforcement shall investigate the institution, school, facility,**



1 organization, or agency to determine whether the institution,
 2 school, facility, organization, or agency knew that the alleged abuse
 3 was happening and failed to report the alleged abuse. In
 4 determining whether the institution, school, facility, organization,
 5 or agency knew that the alleged abuse was happening, local law
 6 enforcement may consider the following:

7 (1) Whether there have been previous allegations against the
 8 staff member, youth coach, or volunteer.

9 (2) Whether there are disciplinary records for the staff
 10 member, youth coach, or volunteer.

11 (3) Whether the institution, school, facility, organization, or
 12 agency properly reported any previous:

13 (A) allegations against the staff member, youth coach, or
 14 volunteer; or

15 (B) disciplinary records involving the staff member's,
 16 youth coach's, or volunteer's inappropriate behavior with
 17 a minor.

18 **Sec. 2. If local law enforcement determines that an institution,
 19 school, facility, organization, or agency knew that the alleged abuse
 20 was happening and failed to report the alleged abuse, local law
 21 enforcement shall provide the prosecuting attorney with a
 22 complete written report of the investigation.**

23 SECTION 7. IC 31-33-22-1, AS AMENDED BY P.L.183-2017,
 24 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2025]: Sec. 1. (a) A person who knowingly fails to make a
 26 report required by IC 31-33-5-1 commits a Class B misdemeanor.

27 (b) A person who knowingly fails to make a report required by
 28 IC 31-33-5-2 or ~~IC 31-33-5-2.5~~ commits a ~~Class B~~ **Class A**
 29 misdemeanor. **However, the offense is a Level 6 felony if the person**
 30 **has a prior unrelated conviction for a violation of this section.** This
 31 penalty is in addition to the penalty imposed by subsection (a).

32 (c) **A criminal investigation does not affect the victim's right to**
 33 **seek a civil remedy against the person being investigated for a**
 34 **crime under this section.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1412, 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 6, line 31, delete "neglect." and insert "**neglect, unless a report has already been made and documented by the individual in charge under subsection (d).**".

Page 6, line 34, delete "individual." and insert "**individual, unless the individual to whom the duty is being delegated is part of the child's care team and has personally provided care to the child.**".

Page 7, line 3, delete "neglect." and insert "**neglect, unless a report has already been made and documented in the child's medical file.**".

and when so amended that said bill do pass.

(Reference is to HB 1412 as introduced.)

DEVON

Committee Vote: yeas 12, nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1412, 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, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 38.

Page 6, line 5, reset in roman "or".

Page 6, line 5, delete "and".

Page 6, line 5, strike "a local" and insert "**an appropriate**".

Page 6, line 5, delete "in Indiana".

Page 6, delete lines 13 through 42, begin a new paragraph and insert:

"SECTION 4. IC 31-33-5-2, AS AMENDED BY P.L.183-2017, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

HB 1412—LS 7591/DI 148



JULY 1, 2025]: Sec. 2. (a) This section does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2. An individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2 is subject to section 2.5 of this chapter.

~~(b)~~ (a) If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a ~~medical or other~~ public or private institution, school, facility, **organization**, or agency, the individual shall immediately make a report to:

- (1) the department; or
- (2) the ~~local~~ **appropriate** law enforcement agency.

The individual does not have discretion to decide not to report known or suspected child abuse or neglect, unless a report has already been made and documented by the individual in charge under subsection (d).

(b) An individual required to make a report of known or suspected child abuse or neglect may not delegate the duty to make the report to another individual, unless:

- (1) the individual to whom the duty is being delegated is part of the child's care team and has personally been involved in the child's care; and
- (2) the notification of suspected child abuse or neglect made to the individual described in subdivision (1) is in writing.

(c) The individual described in subsection (b)(1) shall immediately report the suspected child abuse or neglect to the appropriate law enforcement agency or the department. As soon as possible after making the report to law enforcement or the department, the individual described in subsection (b)(1) shall do the following:

- (1) Record in writing that they were notified of suspected child abuse or neglect, including the identity of the person who notified them, the date and time that they received the notification, and the date and time that they reported the suspected child abuse or neglect to law enforcement or the department of child services.
- (2) Place or cause to be placed in the child's medical file:
 - (A) the details included in the report to law enforcement or the department of child services, including the date and time;
 - (B) the condition of the child at the time the report was made, if known; and



(C) any other relevant and necessary information.

(d) After making the report, the individual **required to make the report and the individual described in subsection (b)(1)** shall notify the individual in charge of the institution, school, facility, **organization**, or agency or the designated agent of the individual in charge of the institution, school, facility, **organization**, or agency that the report was made."

Page 7, delete lines 1 through 13.

Page 7, line 34, strike "local" and insert "**appropriate**".

Page 7, line 34, delete "agency in Indiana based on the" and insert "agency."

Page 7, delete lines 35 through 36.

Page 7, line 40, delete "and" and insert "**or**".

Page 7, line 41, delete "local" and insert "**appropriate**".

Page 7, line 41, delete "agency in Indiana based on the" and insert "**agency**".

Page 7, delete line 42.

Page 8, delete line 1.

Page 8, line 38, after " misdemeanor." insert "**However, the offense is a Level 6 felony if the person has a prior unrelated conviction for a violation of this section.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1412 as printed January 30, 2025.)

MCNAMARA

Committee Vote: yeas 13, nays 0.

