IC 16-49

ARTICLE 49. CHILD FATALITY REVIEWS

IC 16-49-1

Chapter 1. Definitions

IC 16-49-1-1

Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-2

"Child"

Sec. 2. "Child" means an individual less than eighteen (18) years of age.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-3

"Child fatality committee"

Sec. 3. "Child fatality committee" means a child fatality committee established under IC 16-49-2-1.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-4

"County child fatality review team"

Sec. 4. "County child fatality review team" means a child fatality review team established by a child fatality committee under IC 16-49-2 for a county.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-5

"Emergency medical services"

Sec. 5. "Emergency medical services" means the provision of emergency ambulance services or other services, including extrication and rescue services, used in serving an individual's need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-6

"Local child fatality review team"

Sec. 6. "Local child fatality review team" refers to a county or regional child fatality review team established by a child fatality committee under IC 16-49-2.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-7

"Mental health provider"

Sec. 7. "Mental health provider" means any of the following:

(1) A registered nurse or licensed practical nurse licensed under IC 25-23.

(2) A clinical social worker licensed under IC 25-23.6-5.

(3) A marriage and family therapist licensed under IC 25-23.6-8.

(4) A psychologist licensed under IC 25-33.

(5) A school psychologist licensed by the Indiana state board of education.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-8

"Regional child fatality review team"

Sec. 8. "Regional child fatality review team" means a child fatality review team established by a child fatality committee under IC 16-49-2 for a region consisting of more than one (1) county.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-9

"State child fatality review coordinator"

Sec. 9. "State child fatality review coordinator" refers to the state child fatality review coordinator employed by the state department under IC 16-49-5-1.

As added by P.L.119-2013, SEC.3.

IC 16-49-1-10

"Statewide child fatality review committee"

Sec. 10. "Statewide child fatality review committee" refers to the statewide child fatality review committee established by IC 16-49-4-1.

As added by P.L.119-2013, SEC.3.

IC 16-49-2

Chapter 2. Establishing Local Child Fatality Review Teams

IC 16-49-2-1

Child fatality committee established in each county; membership

Sec. 1. A child fatality committee is established in each county and consists of the following members:

(1) The prosecuting attorney of the county or a representative of the prosecuting attorney.

(2) The county coroner or a deputy coroner of the county representing the county coroner.

(3) A representative from:

(A) a county health department established under IC 16-20-2;

(B) a health and hospital corporation established under IC 16-22-8; or

(C) a multiple county health department established under IC 16-20-3;

that is located in or serves the county.

(4) A representative from the department of child services.

(5) A representative of law enforcement from the county.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-2

Meetings; chairperson

Sec. 2. (a) The child fatality committee shall meet for the first meeting of the child fatality committee at the call of the prosecuting attorney of the county, or the prosecuting attorney's representative.

(b) The child fatality committee members shall select a chairperson at the first meeting.

(c) The child fatality committee shall meet at the call of the chairperson for all meetings after the first meeting.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-3

Duties of the child fatality committees

Sec. 3. The child fatality committee shall do the following:

(1) Determine whether to establish a:

(A) county child fatality review team; or

(B) regional child fatality review team;

for the county.

(2) Appoint members to the local child fatality review team in accordance with the member requirements established under this chapter.

(3) Determine whether the local child fatality review team will enter into a written agreement with another local child fatality review team to receive, upon request, services, guidance, and expertise from the other local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-4

Local child fatality review teams; membership; required members or written agreement; pathologist member or agreement

Sec. 4. (a) A local child fatality review team consists of the following members:

(1) The prosecuting attorney of the county or a representative of a prosecuting attorney from the area served by the local child fatality review team.

(2) A county coroner or a deputy coroner from the area served by the local child fatality review team.

(3) A representative from:

(A) a county health department established under IC 16-20-2;

(B) a health and hospital corporation established under IC 16-22-8; or

(C) a multiple county health department established under IC 16-20-3;

that is located in or serves the area served by the local child fatality review team.

(4) A representative from the department of child services.

(5) A representative of law enforcement from the area served by the local child fatality review team.

(6) A representative from a school district in the area served by the local child fatality review team.

(b) In addition to the members under subsection (a), a local child fatality review team shall:

(1) have as a member of the local child fatality review team:

(A) a pediatrician or family practice physician;

(B) a representative from an emergency medical services provider;

(C) a representative from a fire department or volunteer fire department (as defined in IC 36-8-12-2); and

(D) a mental health provider; or

(2) enter into a written agreement with another local child fatality review team for the provision of services, guidance, and expertise of a person listed in subdivision (1)(A) through (1)(D) who is a member of that local child fatality review team.

(c) In addition to the members under subsection (a), a local child fatality review team shall have:

(1) a member on the team who is a pathologist with forensic experience who is licensed to practice medicine in Indiana and who, if feasible, is certified by the American Board of Pathology in forensic pathology; or

(2) an agreement with a pathologist described in subdivision (1) for the provision of the pathologist's services and expertise, as needed by the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-5

Local child fatality review teams; additional members

Sec. 5. A local child fatality review team may have additional members from the following categories:

(1) A representative of a hospital located in the area served by the local child fatality review team.

(2) A representative from a juvenile or probate court in the area served by the local child fatality review team.

(3) Other representatives requested to serve as members by the:

(A) child fatality committee; or

(B) local child fatality review team.

(4) A representative from the department of natural resources who lives or works in the area served by the local child fatality review team.

(5) A representative from Prevent Child Abuse Indiana (an organization for the prevention of child abuse) who lives or works in the area served by the local child fatality review team.

(6) One (1) of the following:

(A) A court appointed special advocate who provides court appointed special advocate services in the area served by the local child fatality review team.

(B) A guardian ad litem who provides guardian ad litem services in the area served by the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-6

Regional local child fatality review team; more than one member allowed

Sec. 6. If the local child fatality review team is a regional child fatality review team, more than one (1) of each of the members listed in section 4 of this chapter may serve on the local child fatality review team if each of the members represents a different county served by the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-2-7

Report to state child fatality review coordinator required

Sec. 7. Not later than ninety (90) days after the first meeting of the child fatality committee, the prosecuting attorney of the county or prosecuting attorney's representative shall submit a report to the state child fatality review coordinator that includes the following information:

(1) Whether the child fatality committee established a:

(A) county child fatality review team; or

(B) regional child fatality review team.

(2) The names and contact numbers of all of the members of the local child fatality review team.

(3) Whether the child fatality committee will or has entered into a memorandum of understanding described under section 3(3) of this chapter.

(4) Any assistance the child fatality committee would like from

the state child fatality review coordinator in forming the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-3

Chapter 3. Local Child Fatality Review Teams

IC 16-49-3-1

Meetings; chairperson

Sec. 1. (a) The local child fatality review team shall meet for the first meeting of the local child fatality review team at the call of a prosecuting attorney or prosecuting attorney's representative.

(b) The members of a local child fatality review team shall elect a member to serve as the chairperson at the first meeting.

(c) The members of the local child fatality review team shall meet at the call of the chairperson for all meetings after the first meeting.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-2

Requirements for members; individuals attending meeting; confidentiality statement requirements; vacancy on team

Sec. 2. (a) After an individual becomes a member of a local child fatality review team and before the member participates in a review of a child fatality, the member shall:

(1) sign a confidentiality statement prepared by the state child fatality review coordinator under IC 16-49-5-2;

(2) review the purpose and goal of the local child fatality review team; and

(3) review the data collection form developed by the state child fatality review coordinator under IC 16-49-5-2.

(b) Any individuals who are invited by the chairperson to attend a meeting of a local child fatality review team shall sign a confidentiality statement prepared by the state child fatality review coordinator under IC 16-49-5-2.

(c) A local child fatality review team may:

(1) appoint additional members to the local child fatality review team as provided in IC 16-49-2-5; and

(2) if there is a vacancy on the local child fatality review team, appoint an individual to fill the vacancy.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-3

Review; records and information; not subject to subpoena or discovery or admissible as evidence

Sec. 3. (a) A local child fatality review team shall review the death of a child that occurred in the area served by the local child fatality review team if:

(1) the death of the child is:

(A) sudden;

(B) unexpected;

(C) unexplained; or

(D) assessed by the department of child services for alleged abuse or neglect that resulted in the death of the child; or

(2) the coroner in the area served by the local child fatality

review team determines that the cause of the death of the child is:

(A) undetermined; or

(B) the result of a homicide, suicide, or accident.

(b) In conducting a child fatality review under subsection (a), the local child fatality review team may review all applicable records and information related to the death of the child, including the following:

(1) Records held by the:

(A) local or state health department; and

(B) department of child services.

(2) Medical records.

(3) Law enforcement records.

(4) Autopsy reports.

(5) Records of the coroner.

(6) Mental health reports.

(c) Except as otherwise provided under this article, information and records acquired by the local child fatality review team in the exercise of its duties under this chapter are confidential and exempt from disclosure.

(d) Records, information, documents, and reports acquired or produced by a local child fatality review team are not:

(1) subject to subpoena or discovery; or

(2) admissible as evidence;

in any judicial or administrative proceeding. Information that is otherwise discoverable or admissible from original sources is not immune from discovery or use in any proceeding merely because the information was presented during proceedings before a local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-4

Review death certificate

Sec. 4. The local child fatality review team shall review the death certificate of a child received from a local health officer to determine if the local child fatality review team is required to review the death of the child as required under section 3 of this chapter.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-5

Records from hospitals, physicians, coroners, law enforcement officers, or mental health professionals; immunity from liability

Sec. 5. (a) Subject to IC 34-30-15, if the local child fatality review team requests records from a hospital, physician, coroner, law enforcement officer, or mental health professional regarding a death that the local child fatality review team is reviewing, the hospital, physician, coroner, law enforcement officer, or mental health professional shall provide the requested records to the local child fatality review team.

(b) A person who provides records in accordance with subsection

(a) in good faith is not subject to liability in:

(1) a civil;

(2) an administrative;

(3) a disciplinary; or

(4) a criminal;

action that might otherwise be imposed as a result of such disclosure.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-6

Review of death; requirements

Sec. 6. In reviewing the death of a child under this chapter, the local child fatality review team shall:

(1) identify the factors that surrounded or contributed to the death of the child;

(2) determine whether similar deaths could be prevented in the future;

(3) if applicable, identify:

(A) agencies and entities that should be involved; and

(B) any other resources that should be used;

to adequately prevent future deaths of children; and

(4) if applicable, identify solutions to improve practice and policy and enhance coordination.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-7

Prepare and release report; identifying information excluded; review data confidential; joint report

Sec. 7. (a) A local child fatality review team shall prepare and release a report that may include the following information:

(1) A summary of the data collected regarding the reviews conducted by the local child fatality review team.

(2) Actions recommend by the local child fatality review team to prevent injuries to children and child deaths in the area served by the local child fatality review team.

(3) Solutions proposed for system inadequacies.

(b) A report released under this section may not contain identifying information relating to the fatalities reviewed by the local child fatality review team.

(c) Except as otherwise provided in this article, review data concerning a child fatality is confidential and may not be released.

(d) A local child fatality review team may prepare and release a joint report for the report required by subsection (a) with another child fatality review team if the local child fatality review team reviewed fewer than two (2) child fatalities in the previous calendar year.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-8

Meetings open; executive sessions; confidentiality statements

Sec. 8. (a) Except as provided in subsection (b), meetings of a

local child fatality review team are open to the public.

(b) Meetings of a local child fatality review team that involve confidential records or identifying information regarding the death of a child that is confidential under state or federal law must be held as executive sessions.

(c) If an executive session is held under subsection (b), each invitee who:

(1) attends a meeting of the local child fatality review team; and

(2) is not a member of the local child fatality review team;

shall sign a confidentiality statement prepared by the state child fatality review coordinator under IC 16-49-5-2. The chairperson of the local child fatality review team shall keep all confidentiality statements signed under this subsection.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-9

Discussion of confidential matters; applicable laws; immunity from liability

Sec. 9. Members of a local child fatality review team and individuals who attend a meeting of a local child fatality review team as invitees of the chairperson:

(1) may discuss among themselves confidential matters that are before the local child fatality review team;

(2) are bound by all applicable laws regarding the confidentiality of matters reviewed by the local child fatality review team; and

(3) except when acting:

(A) with malice;

(B) in bad faith; or

(C) with negligence;

are immune from any civil or criminal liability that might otherwise be imposed as a result of sharing among themselves confidential matters that are before the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-10

Duties of chairperson

Sec. 10. The chairperson of a local child fatality review team or the chairperson's designee shall do the following:

(1) Prepare the agenda for each meeting.

(2) Provide notices of meetings to all members of the local child fatality review team.

(3) Maintain confidentiality forms signed in accordance with sections 2(a)(1) and 8(c) of this chapter.

(4) Ensure all new members of the child fatality review team and invitees sign the confidentiality forms as required under sections 2(a)(1) and 8(c) of this chapter.

(5) Record all review data regarding the death of a child using the data collection tools provided by the state child fatality

review coordinator and enter the information into the electronic data collection system.

(6) Attend training on the data collection tools.

(7) Serve as a liaison between the local child fatality review team and the:

(A) statewide child fatality review committee; and

(B) state child fatality review coordinator.

(8) Ensure compliance with section 8 of this chapter.

(9) Upon the conclusion of a review of a child fatality, destroy all records, information, and documents obtained by the local child fatality review team under section 5 of this chapter.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-11

Department of child services; access to data

Sec. 11. The department of child services shall have access to all data submitted by a local child fatality review team, including access to the electronic data collection system, to assist the department of child services in preparing the report required under IC 31-25-2-24.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-12

Confidentiality of records

Sec. 12. A local child fatality review team is subject to the confidentiality provisions of IC 31-33-18 applying to records held by the local child fatality review team.

As added by P.L.119-2013, SEC.3.

IC 16-49-3-13

Discussions, determinations, conclusions, and recommendations privileged; not subject to subpoena or discovery or admissible as evidence

Sec. 13. The discussions, determinations, conclusions, and recommendations of a local child fatality review team, or its members, concerning a review of a child fatality at a meeting of the local child fatality review team:

(1) are privileged; and

(2) are not:

(A) subject to subpoena or discovery; or

(B) admissible as evidence;

in any judicial or administrative proceeding.

As added by P.L.119-2013, SEC.3.

IC 16-49-4

Chapter 4. Statewide Child Fatality Review Committee

IC 16-49-4-1

Statewide child fatality review committee established

Sec. 1. The statewide child fatality review committee is established to:

(1) identify similarities, trends, and factual patterns concerning the deaths of children in Indiana;

(2) create strategies and make recommendations for the prevention of injuries to and deaths of children;

(3) provide expertise, consultation, guidance, and training to local child fatality review teams; and

(4) advise and educate the legislature, governor, and public on the status of child fatalities in Indiana.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-2

Committee members

Sec. 2. The statewide child fatality review committee consists of the following members appointed by the governor:

(1) A coroner or deputy coroner.

(2) A representative from the state department who:

(A) is a licensed physician; and

(B) specializes in injury prevention.

(3) A representative of a:

(A) local health department established under IC 16-20-2; or

(B) multiple county health department established under IC 16-20-3.

(4) A pediatrician.

(5) A representative of law enforcement who has experience in investigating child deaths.

(6) A representative from an emergency medical services provider.

(7) The director or a representative of the department of child services.

(8) A representative of a prosecuting attorney who has experience in prosecuting child abuse.

(9) A pathologist who is:

(A) certified by the American Board of Pathology in forensic pathology; and

(B) licensed to practice medicine in Indiana.

(10) A mental health provider.

(11) A representative of a child abuse prevention program.

(12) A representative of the department of education.

(13) An epidemiologist.

(14) The state child fatality review coordinator.

(15) At the discretion of the department of child services ombudsman, a representative of the office of the department of child services ombudsman established by IC 4-13-19-3.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-3
Confidentiality statements

Sec. 3. All members of the statewide child fatality review committee and any individuals invited to attend a meeting of the statewide child fatality review committee shall sign a confidentiality statement prepared by the state child fatality review coordinator.
As added by P.L.119-2013, SEC.3.

IC 16-49-4-4
Duties of committee

Sec. 4. The statewide child fatality review committee shall do the following:

(1) Compile and analyze data recorded by local child fatality review teams in reviewing child fatalities.

(2) Review child mortality records and examine all other records relevant to child fatalities in Indiana.

(3) Assist efforts by local child fatality review teams by:

(A) overseeing the creation of standardized forms and protocols necessary for the review of child deaths;

(B) providing expertise by answering questions related to a child's death that a local child fatality review team is reviewing;

(C) establishing and sponsoring training programs for members of local child fatality review teams; and

(D) providing, upon request of a local child fatality review team, expertise in creating local prevention strategies.

(4) Upon request by a local child fatality review team or the department of child services ombudsman established by IC 4-13-19-3, assist in or conduct a review of the death of a child as provided under section 5 of this chapter.

(5) Create strategies and make recommendations for the safety of children and prevention of serious injuries or deaths of children.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-5
Assisting local child fatality review team; records from hospitals, physicians, coroners, law enforcement officers, or mental health professionals; immunity from liability; confidential; not subject to subpoena or discovery or admissible as evidence

Sec. 5. (a) Upon request by a local child fatality review team or the department of child services ombudsman established by IC 4-13-19-3, the statewide child fatality review committee shall assist a local child fatality review team or conduct a review of the death of a child that occurred in Indiana if:

(1) the death of the child is:

(A) sudden;

(B) unexpected;

(C) unexplained; or

(D) assessed by the department of child services for alleged abuse or neglect that resulted in the death of the child; or

(2) the coroner in the area in which the child's death occurred determines that the cause of the death of the child is:

(A) undetermined; or

(B) the result of a homicide, suicide, or accident.

(b) In conducting a child fatality review under subsection (a), the statewide child fatality review committee may review all applicable records and information related to the death of the child, including the following:

(1) Records held by the:

(A) local or state health department; and

(B) department of child services.

(2) Medical records.

(3) Law enforcement records.

(4) Autopsy reports.

(5) Records of the coroner.

(6) Mental health reports.

(c) Subject to IC 34-30-15, if the statewide child fatality review committee requests records from a hospital, physician, coroner, law enforcement officer, or mental health professional regarding a death that the statewide child fatality review committee is investigating, the hospital, physician, coroner, law enforcement officer, or mental health professional shall provide the requested records to the statewide child fatality review committee.

(d) A person who provides records in accordance with subsection (c) in good faith is not subject to liability in:

(1) a civil;

(2) an administrative;

(3) a disciplinary; or

(4) a criminal;

action that might otherwise be imposed as a result of such disclosure.

(e) Except as otherwise provided in this article, information and records acquired by the statewide child fatality review committee in the exercise of its duties under this chapter are confidential and exempt from disclosure.

(f) Records, information, documents, and reports acquired or produced by the statewide child fatality review committee are not:

(1) subject to subpoena or discovery; or

(2) admissible as evidence;

in any judicial or administrative proceeding. Information that is otherwise discoverable or admissible from original sources is not immune from discovery or use in any proceeding merely because the information was presented during proceedings before the statewide child fatality review committee.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-6

Review of death; requirements

Sec. 6. In reviewing the death of a child under this chapter, the statewide child fatality review committee shall:

(1) identify the factors that surrounded or contributed to the death of the child;

(2) determine whether similar deaths could be prevented in the future;

(3) if applicable, identify:

(A) agencies and entities that should be involved; and

(B) any other resources that should be used;

to adequately prevent future deaths of children; and

(4) if applicable, identify solutions to improve practice and policy and enhance coordination.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-7

Chairperson

Sec. 7. (a) The chairperson of the statewide child fatality review committee shall be selected by the governor.

(b) The statewide child fatality review committee shall meet at the call of the chairperson.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-8

Duties of chairperson

Sec. 8. The chairperson of the statewide child fatality review committee shall do the following:

(1) Work with the state child fatality review coordinator to prepare the agenda for each meeting of the statewide child fatality review committee.

(2) Work with the state child fatality review coordinator to:

(A) prepare the annual report of the statewide child fatality review committee described in section 11 of this chapter; and

(B) ensure compliance with section 9 of this chapter.

(3) Upon the conclusion of a review of a child fatality, destroy all records, information, and documents obtained by the statewide child fatality review committee under section 5 of this chapter.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-9

Meetings open; executive sessions; confidentiality statements

Sec. 9. (a) Except as provided in subsection (b), meetings of the statewide child fatality review committee are open to the public.

(b) A meeting of the statewide child fatality review committee that involves:

(1) confidential records; or

(2) identifying information regarding the death of a child that is confidential under state or federal law;

shall be held as an executive session.

(c) If a meeting is held as an executive session under subsection (b), each invitee who:

(1) attends the meeting; and

(2) is not a member of the statewide child fatality review committee;

shall sign a confidentiality statement prepared by the state child fatality review coordinator.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-10

Discussion of confidential matters; applicable laws; immunity from liability

Sec. 10. Members of the statewide child fatality review committee and individuals who attend a meeting of the statewide child fatality review committee as invitees of the chairperson:

(1) may discuss among themselves confidential matters that are before the statewide child fatality review committee;

(2) are bound by all applicable laws regarding the confidentiality of matters reviewed by the statewide child fatality review committee; and

(3) except when acting:

(A) with malice;

(B) in bad faith; or

(C) with gross negligence;

are immune from any civil or criminal liability that might otherwise be imposed as a result of communicating among themselves about confidential matters that are before the statewide child fatality review committee.

As added by P.L.119-2013, SEC.3.

IC 16-49-4-11

Report; availability

Sec. 11. (a) The statewide child fatality review committee shall submit to the legislative council, governor, department of child services, state department, and commission on improving the status of children in Indiana on or before December 31 of each year a report that includes the following information:

(1) A summary of the data collected and reviewed by the statewide child fatality review committee in the previous calendar year.

(2) Trends and patterns that have been identified by the statewide child fatality review committee concerning deaths of children in Indiana.

(3) Recommended actions or resources to prevent future child fatalities in Indiana.

A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.

(b) The statewide child fatality review committee shall provide a copy of a report submitted under this section to a member of the public upon request.

(c) The state department shall make the report available on the state department's Internet web site.
As added by P.L.119-2013, SEC.3.

IC 16-49-4-12
Report; identifying information excluded; review data confidential

Sec. 12. (a) A report released under this section 11 of this chapter may not contain identifying information relating to the fatalities reviewed by the statewide child fatality review committee or any local child fatality review team.

(b) Except as otherwise provided in this article, review data concerning a child fatality are confidential and may not be released.
As added by P.L.119-2013, SEC.3.

IC 16-49-4-13
Discussions, determinations, conclusions, and recommendations privileged; not subject to subpoena or discovery or admissible as evidence

Sec. 13. The discussions, determinations, conclusions, and recommendations of the statewide child fatality review committee or its members, concerning a review of a child fatality, at a meeting of the statewide child fatality review committee:

(1) are privileged; and
(2) are not:
    (A) subject to subpoena or discovery; or
    (B) admissible as evidence;

in any judicial or administrative proceeding.
As added by P.L.119-2013, SEC.3.

IC 16-49-4-14
Not entitled to compensation or per diem; entitled to mileage

Sec. 14. A member of the statewide child fatality review committee is not entitled to receive compensation or per diem but is entitled to receive mileage on the days on which the member is engaged in the business of the statewide child fatality review committee.
As added by P.L.119-2013, SEC.3.

IC 16-49-4-15
Confidentiality of records

Sec. 15. The statewide child fatality review committee is subject to the confidentiality provisions of IC 31-33-18 applying to records held by the statewide child fatality review committee.
As added by P.L.119-2013, SEC.3.

IC 16-49-5

Chapter 5. State Child Fatality Review Coordinator

IC 16-49-5-1

State child fatality review coordinator; employed by state department of health; duties

Sec. 1. The state department shall employ a state child fatality review coordinator to do the following:

(1) Assist the statewide child fatality review committee chairperson in establishing agendas for meetings of the statewide child fatality review committee.

(2) Coordinate information and materials for the meetings of the statewide child fatality review committee.

(3) Compile raw data for presentation to the statewide child fatality review committee.

(4) Contact the appropriate individuals if any issues with the electronic data collection system occur.

(5) Record information concerning child fatality reviews conducted by the statewide child fatality review committee in the electronic data collection system.

(6) Record and compile recommendations by the statewide child fatality review committee for the prevention of child fatalities and investigate available prevention resources.

(7) Work with the chairperson of the statewide child fatality review committee to prepare the annual report described in IC 16-49-4-11.

(8) Facilitate distribution of the annual report described in IC 16-49-4-11.

(9) Represent the state of Indiana at national meetings concerning child fatalities and child fatality reviews.

(10) Assist local child fatality review teams by:

(A) assisting with the establishment of local child fatality review teams;

(B) acting as a liaison between the statewide child fatality review committee and local child fatality review teams;

(C) creating and providing forms, including the data collection form described in section 2 of this chapter, for local child fatality review teams and the statewide child fatality review committee;

(D) developing protocols for meetings of and fatality reviews conducted by local child fatality review teams;

(E) providing data collection tools that include collecting and storing:

(i) identifying and nonidentifying information;

(ii) information concerning the circumstances surrounding the death of a child;

(iii) information concerning factors that contributed to the death of a child; and

(iv) information concerning findings and recommendations regarding the death of a child by the local child fatality

review team;

(F) providing training on data collection and technical assistance for the electronic data collection system;

(G) providing information on the prevention of child fatalities; and

(H) obtaining death certificates for local child fatality review teams if necessary.

(11) Coordinate local or statewide training related to child fatality review.

(12) Maintain all confidentiality statements signed in accordance with IC 16-49-4-9.

(13) Attend meetings of the commission on improving the status of children in Indiana, established by IC 2-5-36-3, as requested by the chairperson of the commission.

As added by P.L.119-2013, SEC.3.

IC 16-49-5-2

Develop data collection and confidentiality forms

Sec. 2. (a) The state child fatality review coordinator shall develop a data collection form that includes:

(1) identifying and nonidentifying information;

(2) information regarding the circumstances surrounding a death;

(3) factors contributing to a death; and

(4) findings and recommendations that include the following information:

(A) Whether similar future deaths could be prevented.

(B) A list of:

(i) agencies and entities that should be involved; and

(ii) any other resources that should be used;

to adequately prevent future child deaths in the area.

(b) The state child fatality review coordinator shall develop a confidentiality form for use by the statewide child fatality review committee and local child fatality review teams.

As added by P.L.119-2013, SEC.3.

IC 16-49-5-3

Salary and expenses for training paid from funds appropriated to state department of health

Sec. 3. The following must be paid from funds appropriated to the state department:

(1) The salary of the state child fatality review coordinator.

(2) Expenses for any training for:

(A) the state child fatality review coordinator;

(B) members of the statewide child fatality review committee; and

(C) members of local child fatality review teams.

(3) Other expenses related to the duties of the state child fatality review coordinator.

As added by P.L.119-2013, SEC.3.