AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-7-2-55.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 55.1. "Dawn project", for purposes of IC 12-22-4, has the meaning set forth in IC 12-22-4-1.

SECTION 2. IC 12-22-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 4. Dawn Project
Sec. 1. As used in this chapter, "dawn project" refers to a local program that is responsible for developing a coordinated, family centered, and community based system of services for children with serious emotional disturbances and their families.

Sec. 2. (a) The division may award grants to local units of government that meet the qualifications of this chapter for establishing dawn projects. A dawn project may include more than one (1) county.

(b) The division may award five (5) grants.

(c) The division shall provide technical assistance for all dawn projects funded by grants awarded by the division under this chapter.

Sec. 3. An applicant for a grant under this chapter must meet the following qualifications:

(1) Develop and demonstrate a plan to blend county and state funds that support services for children with serious emotional disturbances who meet the qualifications under section 5 of this chapter.

(2) Demonstrate that the plan to blend funds under subdivision (1) is able to blend funds from the following sources:

(A) Child welfare.
(B) Juvenile justice.
(C) State or local educational systems.
(D) Division of mental health.
(E) Other governmental agencies.

(3) Demonstrate that the plan to blend funds under subdivision (1) includes the following components:
   (A) Risk sharing with mental health organizations that manage the care of eligible children.
   (B) Additional direct services for eligible children.
   (C) Flexibility in providing services.
   (D) Individualized case coordination plans that encourage creativity when providing services to eligible children and families.
   (E) Access to consultation with appropriate expertise.
   (F) Evaluation.

(4) Create a coordinating committee that includes representatives of the following:
   (A) The county office of family and children.
   (B) Mental health service providers.
   (C) A mental health advocacy organization.
   (D) The juvenile court.
   (E) The largest school district in the county.
   (F) At least two (2) family members of eligible children.
   (G) An organization that provides advocacy for children and families.

The committee may include other representatives, including representatives of law enforcement, county government, medical care, and nonprofit health and human service agencies.

Sec. 4. A coordinating committee created under section 3(4) of this chapter is responsible for the following:

(1) Administering the plan to blend funds to provide comprehensive services for children who are:
   (A) eligible under the dawn project; and

(B) described in section 5 of this chapter.

(2) Ensuring that any funds saved as a result of reduced use of institutional services under the plan to blend funds will be used to provide additional services to eligible children.

(3) Establishing a process to identify children to be served under the dawn project.

Sec. 5. (a) A coordinating committee created under section 3(4) of this chapter must select children to be served based on the following criteria:

(1) The child has a mental illness diagnosed under the most current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, as amended.

(2) The child experiences significant functional impairment in at least one (1) of the following areas:
   (A) Activities of daily living.
   (B) Interpersonal functioning.
   (C) Concentration, persistence, and pace.
   (D) Adaptation to change.

(3) The child has:
   (A) a mental illness that has continued, or is expected to continue, for at least twelve (12) months; or
   (B) experienced a situational trauma and is receiving services from at least two (2) of the following:
      (i) A special education agency.
(ii) A mental health agency.
(iii) A child welfare agency.
(iv) A law enforcement agency.

(4) The child is not more than eighteen (18) years of age.
(5) The child is at risk of separation from the child's family or is separated from the family.

(b) The coordinating committee may add additional eligibility criteria or other target groups in the plan approved by the division.

SECTION 3. IC 31-34-1-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) The division of family and children may not:

1. initiate a court proceeding to:
   (A) terminate the parental rights concerning; or
   (B) transfer legal custody of;

2. require a parent, guardian, or custodian to consent to:
   (A) the termination of parental rights; or
   (B) transfer of legal custody of;

   a child with an emotional, a behavioral, or a mental disorder or a developmental or physical disability who is voluntarily placed out of the home for the purpose of obtaining special treatment or care, solely because the parent, guardian, or custodian is unable to provide the treatment or care. Relinquishment of custody of a child described in this subsection may not be made a condition for receipt of services or care delivered or funded by the division of family and children.

(b) When a child described in subsection (a) is voluntarily placed out of the home to receive special treatment or care, the division of family and children and the parent, guardian, or custodian of the child may execute a voluntary placement agreement that includes the following:

1. A statement that, by entering into a voluntary placement agreement, the parent, guardian, or custodian of the child is not transferring legal custody of the child to the division of family and children.

2. A statement specifying the legal status of the child.

3. A statement specifying the rights and obligations of the parent, guardian, or custodian.

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