

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b> <b>CHILD WELFARE POLICY</b>	
	<b>Chapter 5:</b> General Case Management <b>Section 14:</b> End of Life Care	
	<b>Effective Date:</b> January 1, 2026	<b>Version:</b> 3

### POLICY OVERVIEW

The Indiana Department of Child Services (DCS) will notify the juvenile court if a doctor or hospital contacts DCS that a child, under the jurisdiction of the court, is near death or has a chronic disease that will result in death and is recommending a Do Not Resuscitate (DNR).

### POLICY STATEMENT

DCS staff, resource parents, and Guardian ad Litem (GAL)/Court Appointed Special Advocates (CASA) **do not** have the legal authority to make a final decision about removing life support or issuing a DNR Order for a child under of DCS care. **The final decision must be made by the juvenile court based on the recommendations of a qualified doctor and the child’s parents decision.**

Situations involving the life support removal, DNR Orders, or organ donation require careful communication with all persons involved including the child’s parents or individuals authorized by statute to make this decision, parent attorney (if applicable), DCS staff, medical personnel, hospital ethics committee, and the court. DCS staff members cannot share personal opinions or give recommendations to families, medical personnel, and/or attorneys in situations regarding the removal of life support or the issuance of a DNR Order.

**Note:** If an older youth has an advanced directive, it should be reviewed and discussed during decision making.

The child’s legal parents are to be involved in the decision about the removal of life support, the issuance of a DNR Order, or organ donation regardless of the status of the case. The child’s parents will be excluded from the decision-making process only when a court finds and orders that neither parent is physically and/or emotionally able to make the decision when needed and proceeding without the parents’ consent is in the best interests of the child.

The decision to donate a deceased child’s organs should be made by the child’s parents. If Termination of Parental Rights (TPR) has occurred, the individuals authorized to make the decision are identified in Indiana Code.

### LEGAL REFERENCES

- [IC 29-2-16.1-8 Revised Uniform Anatomical Gift Act](#)
- [IC 29-2-16.1-1\(8\) Definition of Donor](#)  
[IC 29-2-16.1-1\(12\) Definition of Guardian](#)