

Legislative Memo



February 14, 2020

Ability is the Heart of The Arc

Yesterday, The Arc of Indiana and Self-Advocates of Indiana had their annual Valentines celebration at the Statehouse. Handmade valentines, candy, artwork and personal stories were a sweet treat for Self-Advocates and family members to share with their legislators.

Every year, Kim and I get asked by legislators, “When is the Valentine’s Event?” I never hear any other event at the Statehouse receive such eager anticipation by lawmakers, besides the last day of the legislative session.

Even though we had cruddy winter weather in the forecast, we still had a great showing and representation at the Statehouse. Lt. Governor Crouch kicked off the day by welcoming us to the Statehouse, followed by meeting with legislators as they headed into session. The Secretary of State unveiled the collaborative project between her office, SAI and The Arc of Indiana to spread the word about voting rights and the importance of getting out to vote. Treasurer Mitchell greeted everyone during the 5-year anniversary of the ABLE Act passing at the Federal Level. We wrapped up the day with Dr. Sullivan, Kylee Hope and the team at FSSA answering questions about the waiver redesign.

Thank you to everyone who was able to make it to the Statehouse, and those who were unable to make it—you were dearly missed.



Mark Your Calendars

- **Feb. 27th- Committee Report Deadline**
- **March 2nd- Second Reading Deadline**
- **March 11th- Anticipated Sine Die (Last day of session)**

Bill Status Update

HB 1001- School Accountability- Authored by Reps. DeVon, Carbaugh, Kirchhofer and Smith Sponsored by Sens. Raatz, Bray, Kruse and Rogers

This bill decouples school ratings from being connected to ILEARN test scores. **This bill has been sent to the Senate Education Committee.**

HB 1002- Teacher Evaluations- Reps. Cook, McNamara, Bartels, Smith Sponsored by Sen. Raatz

This decouples teacher evaluations from ILEARN test scores. **This bill has been sent to the Senate Education Committee.**

HB 1003- Education Matters- Reps. Jordan, Thompson, Cook, DeLaney Sponsored by Sens. Raatz, Buchanan

Ensures that facility or provider in a facility within your insurance network may not charge more than allowed according the rate allowed by the network plan. **This bill will be amended and voted on in the Senate Education Committee next week.**

HB 1004- Balance Billing for Medical Care- Reps. Smaltz, Barrett, Lehman, Carbaugh Sponsored by Sens. Charbonneau, Bassler

There is a lot in this bill about the trainings teachers have to go through. **This bill has been sent to the Senate Health Committee.**

HB 1006- Regulation of tobacco products- Reps. Kirchhofer, Bosma, Huston, Huston, Bacon, Brown, Cherry, Aylesworth, Abbott, Baird, Barrett, Bartlett, Bauer, Campbell, Candelaria Reardon, Clere, Cook, Deal, Engleman, Errington, Frye, Karickhoff, Leonard, Manning, McNamara, Negele, Schaibley, Shackelford, Smith, Soliday, Vermilion, Zent, Ziemke Sponsored by Sen. Charbonneau

Updates the state's legal age of purchasing tobacco products to 21 to be in parody with Federal regulations. It also updates the penalties to those selling to underage users to anyone being under the age of 21. **This bill is in the Senate Health Committee.**

HB 1007- Fiscal Matters- Reps. Brown, Huston, Cherry Sponsored by Sens. Mishler, Holdman, Charbonneau

Adds standards to sports wagering, and provides cash funding to bonded projects to pay off the state's debt. These projects include various building projects at Indiana's high education facilities. **This bill has been signed by the governor.**

HB 1008- Occupational License Endorsement- Reps. Carbaugh, Morris, Wesco Sponsored by Sens. Messmer, Busch

Allow for the licensure of a person with an out-of-state license if the person has established a residency in Indiana, passed an equivalent board certification exam, is in good standing, paid the fees and is practicing within the same field. **This bill has been sent to the Senate Commerce and Technology Committee.**

HB 1009- Welfare matters- Reps. Goodrich, Huston, DeVon, Pryor

Sponsored by Sen. Messmer

Provides money earned by a child or a member of the child's family as a student participating in a paid internship, work-based learning or a postsecondary work experience be disregarded when determining eligibility for TANF, SNAP and Medicaid. **This bill will be heard in the Senate Family and Children Committee on Monday.**

HB 1042- Pharmacy Benefit Managers- Reps. Davisson, Karickhoff, Shackelford, Clere

Sponsored by Sens. Brown, Holdman

Requires Pharmacy Benefit Managers to obtain a license to practice from the Department of Insurance and gives the Department authority over Pharmacy Benefit Managers. **This bill is awaiting committee assignment in the Senate.**

HB 1066- Education Matters- Reps. Thompson, Behning, Smith

Sponsored by Sen. Raatz

Among multiple other things in the bill, this would allow for a teacher at a school to offer a presentation to students on autism, behaviors of autism and how to interact with a child with autism. **This bill will be amended and voted in the Senate Education Committee next week.**

HB 1092- Medicaid Deadline- Rep. Ziemke

Sponsored by Sen. Charbonneau

Requires by July 1, 2020, for FSSA to amend the state Medicaid plan to include certain reimbursements. **This bill will be amended and voted on in the Senate Health Committee next week.**

HB 1093- Electronic document filing- Reps. Ziemke, Pressel, Miller, Austin

Sponsored by Sen. Perfect

This bill would allow for a person to electronically file or a submit a document to the state agency as an option to filing or submitting a document that is required by state statute rule. **This bill is in the Senate Commerce and Technology Committee.**

HB 1129- Infant Screening- Reps. Lauer, Barrett, Fleming, Gutwein

Sponsored by Sens. Brown, Walker, Bohacek, Tomes

Requires every infant to be screened for Adrenoleukodystrophy (ALD). **This bill will be amended and voted on in the Senate Health Committee next week.**

HB 1153- Governor's Workforce Cabinet- Reps. Goodrich, Behning, Klinker, Lucas

Sponsored by Sen. Raatz

The Governor's Workforce Cabinet would have to create a comprehensive strategic plan to ensure alignment of primary, secondary and post-secondary education systems with Indiana's workforce training programs and employer needs. **This bill is in the Senate Education Committee.**

HB 1176- First Steps- Reps. Clere, DeVon, Vermilion, Summers

Sponsored by Sens. Ruckelshaus, Grooms, Houchin, Breaux

This bill updates the Interagency Coordinating Council to allow for a Vice Chair on the Council, language in statute to provide for habilitative and rehabilitative services and requires insurance providers upon new issuance of insurance cards to put on the card an indicator if the plan is self-insured or fully insured.

This bill is awaiting committee assignment in the Senate.

HB 1207- Reps. Davisson, Barrett

Sponsored by Sens. Grooms, Ruckelshaus, Rogers

State employee plan, health maintenance organizations, insurer or pharmacy benefit managers may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug than the health plan allows for them to obtain. **This bill is in the Senate Health Committee.**

HB 1278- Grandparent visitation- Reps. Bauer, Torr, Macer

Sponsored by Sens. Houchin, Lanane

Puts parameters around grandparent visitation if a child is adopted and if the father has claimed paternal rights. **This bill is awaiting committee assignment in the Senate.**

HB 1283- Trauma response instruction for teachers- Reps. DeVon, McNamara, Thompson, Pfaff

Sponsored by Sens. Rogers, Raatz

Applicants for a teacher's license must prove they have completed education and trauma training. The training program must instruct on recognition of social, emotional and behavioral reactions to trauma. **This bill is in the Senate Education Committee.**

HB 1336- Telemedicine- Reps. Vermilion, Kirchhofer, Shackelford

Sponsored by Sen. Charbonneau

Ensures that the records from telemedicine practice are kept in the fashion all medical records are kept. **This bill is awaiting a committee assignment in the Senate.**

HB 1341- Students with Disabilities- Reps. Pfaff, Clere, Behning, Burton

Sponsored by Sens. Kruse, Jon Ford, Stoops, J.D. Ford

Requires the State Advisory Council on the Education of Students with Disabilities to come up with a plan to reach out to students who left school from the year 2000 with an IEP and provide resources to them on how to obtain a diploma and skill up their talents for a better-paying jobs. **This bill is awaiting committee assignment in the Senate.**

HB 1372- Insurance Matters- Reps. Carbaugh, Lehman, Austin

Sponsored by Sen. Bassler

An ambulance service provider transporting an individual to an in-network provider or from an in-network facility to another facility shall not charge more than allowed within the network plan. Allows electronic claims to be paid by an insurance provider. Also, allows for a person to not have to pay more for an out-of-network emergency visit if the same kind of visit is covered at an in-network facility. **This bill is in the Senate Insurance Committee.**

SB 1- Tobacco and Vaping- Sens. Charbonneau, Bray, Ruckelshaus, Stoops, Mrvan, Randolph
Sponsored by Reps. Kirchhofer, Huston

Updates the state's legal age of purchasing tobacco products to 21 to be in parity with Federal regulations. It also updates the penalties to those selling to underage users to anyone being under the age of 21. **This bill is in the House Health Committee.**

SB 2- School Accountability- Sens. Raatz, Bray, Kruse, Rogers, Melton, Doriot, Ruckelshaus
Sponsored- Rep. DeVon, Carbaugh, Kirchhofer, Smith

Decouples school ratings from being connected to ILEARN test scores. **This bill is awaiting the governor's signature.**

SB 3- Health care provider billing- Sens. Charbonneau, Garten, Jon Ford, Melton, Stoops, Glick, Randolph, Zay, Kruse, Messmer, Rogers
Sponsored- Reps. Smaltz, Kirchhofer, Barret

Prohibits billing a patient who receives emergency services from an out-of-network provider and at specified facilities that are in network for an amount exceeding the cost paid by the patient's insurance plus any deductibles, copayments and coinsurance amounts. Upon request, a good faith estimate to be given to a patient of the cost of upcoming services five business days before the appointment. **This bill is in the House Insurance Committee.**

SB 4- All Payers Claims Database- Sens. Charbonneau, Ruckelshaus, Melton, Stoops, Glick, Randolph
Sponsored- Reps. Schaibley, Kirchhofer

Establishes an All Payers Claims Database advisory committee to perform duties to assist the Department of Insurance with the creation and implementation of the database. Requires annual reporting from the Department to the governor, state budget agency and general assembly. **This bill is in the House Health Committee.**

SB 5- Health Provider Contracts- Sens. Charbonneau, Ruckelshaus, Stoops, Glick, Randolph
Sponsored- Reps. Schaibley, Barrett, Kirchhofer

Prohibits health provider contracts from prohibiting disclosures of health care service claims data to the employer providing the coverage. **This bill is in the House Health Committee.**

SB 21- Prescriptions by out-of-state physician assistants- Sens. Rogers, Grooms, Charbonneau, Brown, Leising, Becker, Busch, Mrvan, Niezgodski, Crider, Doriot, J.D. Ford, Mishler, Randolph
Sponsored- Reps. Davisson, Kirchhofer, Stutzman

Pharmacists have a duty to honor all prescriptions issued by an advanced practice registered nurse or a physician assistant licensed under the laws from another state. **This bill is in the House Health Committee.**

SB 50- Various trust and probate issues- Sens. Freeman, Koch, Randolph
Sponsored- Rep. Torr

Makes technical corrections to trust and probate codes. **This bill is being amended and voted on in the House Judiciary Committee.**

SB 64- Indiana youth Service Program- Sens. Ruckelshaus, Bohacek, J.D. Ford, Niezgodski

Sponsored- Rep. Cook

The Center of Excellence in Leadership of Learning at the University of Indianapolis shall develop a proposal to establish the Indiana Youth Service Program. This program will provide high school students the opportunity to learn various skills and participate in service at host sites throughout Indiana. **This bill is in the House Education Committee.**

SB 115- Deduction for certain residential property- Sens. Crider, Houchin, J.D. Ford, Jon Ford, Buck, Holdman, Randolph

Sponsored- Rep. Cherry

Provides a property tax deduction to the owner of real property, mobile home or a manufactured home if the property is occupied by relative of the owner who is blind or is an individual with a disability, the occupant principally uses the property as the occupant's residence and if the occupant's gross income for the year does not exceed \$17,000. **This bill is in the House Ways and Means Committee.**

SB 139- Adult Guardianship Services- Sens. Lanane, Becker, Koch, Stoops, Buck, Freeman, Rogers, Glick, Randolph, Kruse

Sponsored- Reprs. Cook, Bauer, Hamilton

Combines the volunteer advocates for seniors program and the volunteer advocates for incapacitated adults programs into one program. Require a person-centered plan when submitting a progress report to the court. **This bill has been sent to the House Judiciary Committee.**

SB 142- Medicaid Reimbursement for Schools- Sens. Zay, Charbonneau, Jon Ford, J.D. Ford, Grooms, Becker, Breaux, Ruckelshaus, Crider, Leising, Melton, Rogers

Sponsored- Reprs. Karickhoff, Barrett, Davisson

Specifies services for which a school corporation may seek Medicaid reimbursement. Adds physical therapy to the list of services to which a school psychologist may refer a student. **This bill has been sent to House Ways and Means.**

SB 185- Sale of Companion Animals- Sens. Alting, Bohacek, Doriot, Stoops

Sponsored- Reprs. Negele, Lehe, Klinker

Prohibits the sale of a companion animal unless the companion animal is at least eight weeks of age and has received appropriate vaccinations. Increases the penalties for making these violations. Defines "unfit for sale." **This bill has been sent to the House Agriculture Committee.**

SB 192- Inpatient mental health care for Medicaid children- Sens. Grooms, Jon Ford, Breaux, Walker, Becker, Buck, Randolph, Stoops

Sponsored- Reprs. DeVon, Davisson, Fleming, Clere

Requires a managed care organization to allow a child Medicaid recipient who has been certified for admission to a psychiatric hospital to be provided certain services that are determined by a treating physician to be necessary for the child for up to five business days before the managed care organization may require a continued review process. **This bill is now in the House Health Committee.**

SB 195- Career and technical education clusters- Sens. Koch, Raatz, Glick, Randolph

Sponsored- Rep. Manning

Requires the State Board of Education to approve, a career and technical education cluster that allows students to acquire knowledge and skills related to employment in the electric, natural gas, communications, water and wastewater utility industries. Requires the governor's workforce cabinet, in consultation with the state board, Department of Education, and Department of Workforce Development, to create course sequences for the career and technical education cluster. **This bill is now in the House Education Committee.**

SB 199- Recovery of litigation expenses- Sens. Koch, Buck, Freeman, Randolph, Rogers, Taylor, Kruse

Sponsored- Rep. Steuerwald

Attorney's fees may be awarded against a governmental entity in a case where a court finds that the claim brought by the governmental entity was frivolous, unreasonable or groundless. Increases the amount of fees and expenses awarded against a state agency. **This bill is now in the House Judiciary Committee.**

SB 205- Medical payment coverage- Sens. Messmer, Gaskill, Ruckelshaus, Randolph, Bassler, Tomes, Tallian

Sponsored- Reps. Heaton, Schaibley, Young

Specifies that medical payment coverage is supplemental to coverage under a health plan but does not require a health plan to provide greater benefits to an individual with medical payment coverage than an individual without medical payment coverage. **This bill is now in the House Insurance Committee.**

SB 208- Compliance with coverage parity requirements- Sens. Crider, Merritt, Breaux, J.D. Ford

Sponsored- Rep. Kirchhofer

Requires insurance providers that provide coverage of services for treatment of mental illness or substance abuse to annually submit a report and analysis to the Department of Insurance that includes certain information demonstrating its compliance with federal laws. **This bill is in the House Insurance Committee.**

SB 223- High School Graduation Requirements- Sens. Leising, Kruse, Niezgodski

Sponsored- Rep. Behning

Requires all students in their senior year to complete and submit the FAFSA unless a parent of a student or a student, if the student is an emancipated minor, signs a waiver that the student understands what the FAFSA is and declines to complete it or the principal of the student's high school waives the requirement due to extenuating circumstances. **This bill is now in the House Education Committee.**

SB 238- Various human services matters- Sens. Brown, Gaskill

Sponsored- Rep. DeVon

Amends the definition of "early intervention services" to include additional services and qualified personnel for purposes of the First Steps program. Requires childcare ministries to have at least one individual who always maintains a CPR certification present that a child is in the care of the childcare ministry and requires employees and volunteers who are caregivers to maintain current first aid certification. **This bill has been sent to the House Family, Children and Human Affairs Committee.**

SB 241- Pharmacy Benefit Managers regulation- Sens. Brown, Charbonneau, Merritt, Stoops, Tomes, Mishler, Ruckelshaus, Grooms, Taylor

Sponsored- Rep. Lehman, Davisson, Clere, Shackelford

Requires a Pharmacy Benefit Manager to obtain a license issued by the Department of Insurance and sets forth requirements of the Pharmacy Benefit Manager. **This bill is in the House Insurance Committee.**

SB 243- Credentialing, billing and employment contracts- Sens. Brown, Charbonneau

Sponsored- Reps. Lehman, Morris, Schaibley

Requires a provider to include the service facility location in order to obtain Medicaid reimbursement from FSSA or the managed care organization. Specifies requirements for credentialing a provider for the Medicaid program, an accident and sickness insurance policy and a health maintenance organization contract. **This bill has been assigned to the House Insurance Committee.**

SB 244- Teacher supplemental pay- Sens. Brown, Kruse, Spartz, Donato, Rogers, Stoops, Randolph, Raatz

Sponsored- Reps. DeVon, Carbaugh

Establishes additional circumstances for which a school corporation may provide supplemental payments to teachers in excess of the salary specified in the school corporation's compensation plan. Provides that a teacher rated improvement necessary in the teacher's annual performance evaluation is eligible to receive a partial raise or increment. **This bill is in the House Education Committee.**

SB 246- Mental Health Services- Sens. Crider, Merritt, Becker, Mrvan, Buck, Raatz, Rogers, J.D. Ford, Melton, Randolph, Stoops

Sponsored- Rep. Cook, Schaibley, Shackelford

Requires a school corporation to certify to the Department of Homeland Security that the school corporation has an understanding in place with a community mental health center or provider certified or licensed by the state to provide mental and behavioral health services to students before applying for a grant from the Indiana secured school fund. Provides that the community mental health center or provider may be employed by the school corporation. **This bill is in the House Health Committee.**

SB 249- Exploitation of dependents and endangered adults- Sens. Young, Koch, J.D. Ford, Randolph, Becker, Leising, Crane

Sponsored- Rep. McNamara, Lehman, Speedy

Defines a "person in position of trust" and "self-dealing." Provides that a person commits exploitation of a dependent or an endangered adult if the person recklessly uses or exerts control over the personal services or property of an endangered adult or dependent, a person in a position of trust commits exploitation, if the person recklessly engages in self-dealing with the property of the dependent or endangered adult. Increases the penalty if the person has a prior unrelated conviction. **This bill is in the House Courts and Criminal Code Committee.**

SB 263- Specialized weapons training- Sens. Holdman, Garten, Crane, Raatz

Sponsored- Reps. Judy, Morris, Burton

Before an employee or any other staff member of a school may carry a firearm in or on school property as authorized by a school board, the employee shall successfully complete certain specialized weapons training or other firearm training and provide proof to the school board that the employee has successfully completed the training. **This bill is in the House Education Committee.**

SB 266- Teacher training- Sens. Donato, Raatz, Rogers, Crane, Kruse, Buchanan, Glick, Spartz, Bassler

Sponsored- Rep. Jordan

Requires the Department of Education to evaluate teacher training requirements in Indiana; prepare a report that includes recommendations for streamlining, combining and reducing the teacher training requirements; the possibility of including teacher training requirements in teacher preparation programs and requiring the completion of teacher training requirements in conjunction with the renewal of teacher licenses. **This bill is in the House Education Committee.**

SB 267- 211 Services- Sens. Bohacek, Alting, Merritt, Ruckelshaus, J.D. Ford, Randolph

Sponsored- Reps. Pressel, Heine

Transfers responsibility for the 211 human services information dialing code from the Indiana housing and community development authority to FSSA. **This bill is in the House Family, Children and Human Affairs Committee.**

SB 273- Behavioral Health Commission- Sens. Crider, Ruckelshaus, Becker, Grooms, Randolph, Crane, J.D. Ford

Sponsored- Reps. Kirchhofer, Cherry

Establishes the Indiana Behavioral Health Commission. **This bill passed the House Health Committee this week and now heads to the full House for further consideration.**

SB 289- Criminal history check of child service providers- Sens. Grooms, Walker, Houchin, Donato, Randolph, Kruse

Sponsored- Reps. Lindauer, Mayfield, Cook, DeVon

Provides that certain individuals can begin work at a child caring institution, group home or child placing agency if an in-state child protection index check; a national sex offender registry check; an in-state local law enforcement records check; and a fingerprint based check of national crime information databases; have been completed and an out-of-state child abuse registry check and out-of-state local law enforcement records check have been requested. **This bill is in the House Family, Children and Human Affairs Committee.**

SB 295- Various Education Matters- Sens. Raatz, Crane, Zay, Randolph, Grooms

Sponsored Rep. Behning

Directs the State Board of Education to establish the Indiana Innovation Council and to define the membership and their various duties. **This bill is in the House Education Committee.**

SB 311- Coverage of PANDAS and PANS- Sens. Niezgodski, Bohacek, Stoops, Ruckelshaus, Jon Ford, Randolph

Sponsored- Reps. Bauer, Kirchhofer, Wright

Requires insurance providers to provide coverage for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS) and pediatric acute-onset neuropsychiatric syndrome (PANS), including treatment with intravenous immunoglobulin therapy. **This bill is in the House Insurance Committee.**

SB 312- Parents with a disability- Sens. Niezgodski, Jon Ford, Stoops, Donato, Houchin, Randolph, Koch

Sponsored- Reps. Ziemke, Clere, Porter, Wright

Provides that the right of a person with a disability to parent the person's child may not be denied or restricted solely because the person has a disability. **This bill is in the House Family, Children and Human Affairs Committee.**

SB 327- Reporting of consumer loans by unlicensed lenders- Sens. Zay, Freeman

Sponsored- Reps. Carbaugh, Heaton, Burton

Requires a person, that is not required to be licensed with the department under the Uniform Consumer Credit Code to report to the department certain information concerning each consumer loan made to a debtor who is a resident of Indiana. **This bill is in the House Financial Institutions Committee.**

SB 337- Various insurance and health care matters- Sens. Spartz, Zay, Bohacek

Sponsored- Reps. Lehman, Schaibley, Carbaugh

Requires FSSA to study the feasibility of changing Indiana's Medicaid program to a block grant; establishing a consumer-directed Medicaid pilot program and restructuring Medicaid payments for long term care. **This bill has been assigned the House Rules Committee.**

SB 346- Students with Disabilities- Sens. Houchin, Rogers, Kruse, Stoops, Freeman, Randolph, Bohacek, Messmer, Brown, Raatz

Sponsored Reps. Behning, Burton, Clere

Provides that a member of the TAC of the State Board of Education must have expertise in special education. Requires text-to-speech, screen reader and human reader accommodations laid out within a student's IEP be used on the statewide assessment. **This bill is in the House Education Committee.**

SB 363- Interim Study Committee- Sens. Donato, Houchin, Randolph

Sponsored- Reps. Lauer, DeVon, Engleman

Study the issue of liability and insurance coverage for nongovernmental entities that serve at-risk youth. **This bill has been sent to the House Rules Committee**

SB 395- Uniform Consumer Credit Code (UCC)- Sens. Bassler, Ruckelshaus

Sponsored- Rep. Burton

Changes the maximum authorized credit service charge from a blended rate based on the amount financed, to a maximum rate of 36% per year on the unpaid balance of the principal. **This bill is in the House Financial Institutions Committee.**