

SENATE BILL No. 319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-14-15-1.

Synopsis: Medicaid disability. Amends the Medicaid definition of disabled person to include a person who has a physical or mental impairment, disease, or loss that appears reasonably certain to result in death or that has lasted or appears reasonably certain to last for a continuous period of at least twelve (12) months without significant improvement. (Current law requires that the impairment continue throughout the lifetime of the individual.)

Effective: July 1, 1998.

Simpson

January 8, 1998, read first time and referred to Committee on Planning and Public Services.

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Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 319



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 12-14-15-1, AS AMENDED BY P.L.152-1995,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 1. Assistance shall be given to a needy disabled
4 individual (referred to as "disabled person" in this chapter) who meets
5 the following qualifications:

6 (1) Has a pending application on file with the federal Social
7 Security Administration for assistance under Public Law 92-603,
8 supplemental security income (SSI), or is receiving assistance.
9 However, a person whose application for assistance under Public
10 Law 92-603 has been denied but who meets all other
11 requirements of this chapter is eligible for supplemental
12 assistance.

13 (2) Has a physical or mental impairment, disease, or loss that is
14 verifiable by a physician licensed under IC 25-22.5 that appears
15 reasonably certain to ~~continue throughout the lifetime of the~~
16 **individual result in death or that has lasted or appears**
17 **reasonably certain to last for a continuous period of at least**



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- 1 **twelve (12) months** without significant improvement and that
2 substantially impairs the individual's ability to perform labor or
3 services or to engage in a useful occupation. Employment in a
4 sheltered workshop or under an approved vocational
5 rehabilitation plan is not considered a useful occupation for the
6 purposes of this chapter. The determination of medical disability
7 under this subdivision shall be made without reference to the
8 individual's ability to pay for treatment.
- 9 (3) Does not have a parent, spouse, or other legally responsible
10 relative able to support the individual.
- 11 (4) Is at least eighteen (18) years of age.
- 12 (5) Is residing and intends to remain in Indiana in a bona fide
13 living arrangement.
- 14 (6) Has insufficient income or other resources to provide a
15 reasonable subsistence according to the standards established by
16 the division.
- 17 (7) Except as otherwise provided in this chapter, is not an inmate
18 of or being maintained by a municipal, state, or national
19 institution while receiving assistance.
- 20 (8) Has not, at any time within five (5) years immediately before
21 the date of the filing of an application for assistance under this
22 chapter, made an assignment or transfer of property for the
23 purpose of making or that will make the individual eligible for
24 assistance under this chapter, except as otherwise provided in this
25 chapter.

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