

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 19 be amended to read as follows:

- 1           Page 4, between lines 25 and 26, begin a new paragraph and  
2           insert:
- 3           "SECTION 3. IC 12-14-2-21, AS ADDED BY P.L.46-1995,  
4           SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5           JULY 1, 1998]: Sec. 21. (a) An AFDC recipient or the parent or  
6           essential person of an AFDC recipient if the AFDC recipient is less  
7           than eighteen (18) years of age must sign a personal responsibility  
8           agreement to do the following:
- 9           (1) Develop an individual self-sufficiency plan with other family  
10          members and a caseworker.
- 11          (2) Accept any reasonable employment as soon as it becomes  
12          available.
- 13          (3) Agree to a loss of assistance, including AFDC assistance  
14          under this article, Medicaid assistance under IC 12-15 if the sole  
15          basis for the person's Medicaid eligibility is based on the  
16          person's eligibility for AFDC assistance under this article, and  
17          food stamps, if convicted of an offense under **IC 12-15-4-1.5 or**  
18          **IC 35-43-5-7 or ~~IC 35-43-5-7.1~~** for the following periods:
- 19               (A) If the conviction is for a misdemeanor, the person is not  
20               eligible to receive assistance as described under this  
21               subdivision for one (1) year after the conviction.
- 22               (B) If the conviction is for a felony, the person is not  
23               eligible to receive assistance as described under this  
24               subdivision for ten (10) years after the conviction.
- 25          (4) Subject to section 5.3 of this chapter, understand that  
26          additional AFDC assistance under this article will not be  
27          available for a child born more than ten (10) months after the  
28          person qualifies for assistance.
- 29          (5) Accept responsibility for ensuring that each child of the  
30          person receives all appropriate vaccinations against disease at an  
31          appropriate age.
- 32          (6) If the person is less than eighteen (18) years of age and is a  
33          parent, live with the person's parents, legal guardian, or an adult

- 1 relative other than a parent or legal guardian in order to receive  
2 public assistance.
- 3 (7) Subject to IC 12-8-1-12 and sections 5.1 and 22 of this  
4 chapter, agree to accept assistance for not more than twenty-four  
5 (24) months under:
- 6 (A) the AFDC program ( IC 12-14); and  
7 (B) the Medicaid program ( IC 12-15), if the sole basis for  
8 the person's Medicaid eligibility is based on the person's  
9 eligibility for AFDC assistance under this article.
- 10 (8) Be available for and actively seek and maintain employment.  
11 (9) Participate in any training program required by the division.  
12 (10) Accept responsibility for ensuring that the person and each  
13 child of the person attend school until the person and each child  
14 of the person ~~graduates~~ **graduate** from high school or attain a  
15 high school equivalency certificate (as defined in IC 12-14-5-2).  
16 (11) Raise the person's children in a safe, secure home.  
17 (12) Agree not to abuse illegal drugs or other substances that  
18 would interfere with the person's ability to attain self-sufficiency.
- 19 (b) Except as provided in subsection (c), assistance under the  
20 AFDC program and Medicaid assistance under IC 12-15 (if the sole  
21 basis for the person's Medicaid eligibility is based on the person's  
22 eligibility for AFDC assistance under this article) shall be withheld or  
23 denied to a person who does not fulfill the requirements of the personal  
24 responsibility agreement under subsection (a).
- 25 (c) A person who is granted an exemption under section 23 of this  
26 chapter may be excused from specific provisions of the personal  
27 responsibility agreement as determined by the director."
- 28 Page 5, between lines 20 and 21, begin a new paragraph and  
29 insert:
- 30 "SECTION 7. IC 12-15-2-20, AS ADDED BY P.L.46-1995,  
31 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 1998]: Sec. 20. (a) This section does not apply to a provider  
33 (as defined in IC 12-7-2-149(2)).
- 34 (b) A person convicted of an offense under ~~IC 35-43-5-7.1~~  
35 **IC 35-43-5-7** is ineligible to receive Medicaid assistance under this  
36 article for ten (10) years after the conviction."
- 37 Page 8, between lines 34 and 35, begin a new paragraph and  
38 insert:
- 39 "SECTION 10. IC 12-15-4-1.5 IS ADDED TO THE INDIANA  
40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
41 [EFFECTIVE JULY 1, 1998]: **Sec. 1.5. (a) An individual who applies**  
42 **for Medicaid as described in section 1 of this chapter must verify**  
43 **that all information provided in the application is truthful.**
- 44 (b) **If an individual who applies for Medicaid knowingly or**  
45 **intentionally provides false information on a Medicaid application,**  
46 **the individual commits Medicaid deception, a Class B**  
47 **misdemeanor.**

1           (c) In addition to any penalty provided for Medicaid deception  
2 under subsection (b), an individual convicted of Medicaid  
3 deception is ineligible to receive assistance under this article for  
4 one (1) year after the date of the conviction.

5           (d) The office shall design the application form for Medicaid  
6 to include the following:

7               (1) Space for an applicant to verify the truthfulness of the  
8 applicant's statements on the application form.

9               (2) An explanation of the penalties for committing Medicaid  
10 deception.

11           (e) The office shall adopt rules under IC 4-22-2 to carry out  
12 this section.

13           SECTION 11. IC 12-20-6-0.5, AS ADDED BY P.L.46-1995,  
14 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 1998]: Sec. 0.5. (a) As used in this section, "member of the  
16 applicant's household" includes any person who lives in the same  
17 residence as the applicant.

18           (b) The township trustee shall determine whether an applicant or  
19 a member of the applicant's household has been denied assistance  
20 under IC 12-14-1-1, IC 12-14-1-1.5, IC 12-14-2-5.1, IC 12-14-2-5.3,  
21 IC 12-14-2-18, IC 12-14-2-20, IC 12-14-2-21, IC 12-14-2-24,  
22 IC 12-14-2-26, IC 12-14-2.5, or IC 12-14-5.5.

23           (c) A township trustee has no obligation to extend aid to an  
24 applicant or to a member of an applicant's household who has been  
25 denied assistance as described in subsection (b).

26           (d) A township trustee shall not extend aid to an applicant or to a  
27 member of an applicant's household if the applicant or the member of  
28 the applicant's household has been convicted of an offense under  
29 **IC 12-15-4-1.5 or IC 35-43-5-7 or ~~IC 35-43-5-7.1~~** as follows:

30               (1) If the conviction is a misdemeanor, a township trustee shall  
31 not extend aid to the applicant or the member of the applicant's  
32 household for one (1) year after the conviction.

33               (2) If the conviction is a felony, a township trustee shall not  
34 extend aid to the applicant or the member of the applicant's  
35 household for ten (10) years after the conviction."

36           Renumber all SECTIONS consecutively.

(Reference is to SB 19 as printed January 28, 1998.)

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Senator KENLEY