

January 16, 1998

SENATE BILL No. 215

DIGEST OF SB 215 (Updated January 15, 1998 8:44 am - DI 88)

Citations Affected: IC 12-8; IC 12-24; noncode.

Synopsis: Reestablishment of Central State Hospital. Requires the director of the division of mental health to reestablish patient care for adult individuals with mental illness at the site of Central State Hospital not later than July 1, 2001. Requires the director to include in the division's 1999-2001 biennial budget request estimates of appropriations, including capital appropriations, needed to plan for and implement reestablishment of patient care at Central State Hospital not later than July 1, 2001. Requires the director to include in the division's 2001-2003 biennial budget request estimates of appropriations, including capital appropriations, needed to provide patient care for adult individuals with mental illness at Central State Hospital. Extends the expiration of the Central State Advisory Committee from January 1, 1999, to July 1, 2001. Requires the division of mental health to provide a written report to the legislative council not later than July 1, (Continued next page)

Effective: Upon passage.

Miller, Breaux

January 6, 1998, read first time and referred to Committee on Health and Environmental Affairs.

January 15, 1998, amended, reported favorably — Do Pass.

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Digest Continued

2000, regarding the division's plans to reestablish patient care for adult individuals with mental illness at the site of Central State Hospital. Makes conforming amendments and repeals statutes providing for services for children at the site of Central State Hospital.

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January 16, 1998

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.

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SENATE BILL No. 215



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 12-24-1-7, AS AMENDED BY P.L.253-1997(ss),
- 2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 UPON PASSAGE]: Sec. 7. (a) ~~During the closing of~~ **Until** Central
- 4 State Hospital ~~and after the institution is closed,~~ **reopens**, the division
- 5 of mental health shall secure, maintain, and fund appropriate long term
- 6 inpatient beds for individuals who have been determined by a
- 7 community mental health center to:
 - 8 (1) have a chronic and persistent mental disorder or chronic
 - 9 addictive disorder; and
 - 10 (2) be in need of care that meets the following criteria:
 - 11 (A) Twenty-four (24) hour supervision of a patient is
 - 12 available.
 - 13 (B) A patient receives:
 - 14 (i) active treatment as appropriate for a chronic and
 - 15 persistent mental disorder or chronic addictive disorder;

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1 (ii) case management services from a state approved
2 provider; and

3 (iii) maintenance of care under the direction of a physician.
4 (C) Crisis care.

5 (b) An individual placed in a long term inpatient bed under this
6 section shall receive at least the care described in subsection (a)(2)(A)
7 through (a)(2)(C).

8 (c) The number of long term inpatient beds that must be secured,
9 maintained, and funded under subsection (a) must satisfy both of the
10 following:

11 (1) The number of long term inpatient beds in the county where
12 the hospital was located may not be less than twenty-one (21)
13 adults per one hundred thousand (100,000) adults in the county
14 where the hospital was located.

15 (2) The total number of long term inpatient beds may not be less
16 than twenty-one (21) adults per one hundred thousand (100,000)
17 adults in the catchment area served by Central State Hospital. The
18 division may reduce the total number of long term inpatient beds
19 required by this subdivision whenever the division determines
20 that caseloads justify a reduction. However:

21 (A) the total number of long term inpatient beds may not be
22 reduced below the number required by subdivision (1); and

23 (B) the number of long term inpatient beds in the county
24 where the hospital was located may not be reduced below the
25 number required by subdivision (1).

26 (d) The division is not required to secure, maintain, and fund long
27 term inpatient beds under this section that exceed the number of
28 individuals who have been determined by a community mental health
29 center to be in need of inpatient care under subsection (a). However,
30 subject to the limitations of subsection (c), the division shall at all
31 times retain the ability to secure, maintain, and fund long term inpatient
32 beds for individuals who satisfy the criteria in subsection (a) as
33 determined by the community mental health centers.

34 (e) An individual may not be placed in a long term inpatient bed
35 under this section at Larue D. Carter Memorial Hospital if the
36 placement adversely affects the research and teaching mission of the
37 hospital.

38 (f) Notwithstanding any other law, the director of the division of
39 mental health may not terminate normal patient care or other operations
40 at Central State Hospital unless the division has developed a plan to
41 comply with this section. Before closing Central State Hospital, the
42 director shall submit a report to the legislative council containing the

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1 following information:

2 (1) The plans the division has made and implemented to comply
3 with this section.

4 (2) The disposition of patients made and to be made from July 1,
5 1993; to the estimated date of closing of Central State Hospital.

6 (3) Other information the director considers relevant.

7 (f) **This section expires July 1, 2001.**

8 SECTION 2. IC 12-24-1-8 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: **Sec. 8. Not later than July 1, 2001, the director
11 of the division of mental health shall reestablish patient care for
12 adult individuals with mental illness at the site of Central State
13 Hospital.**

14 SECTION 3. IC 12-8-13 IS REPEALED [EFFECTIVE UPON
15 PASSAGE].

16 SECTION 4. P.L.40-1994, SECTION 87, IS AMENDED TO READ
17 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 87. (a)
18 As used in this SECTION, "committee" refers to the Central State
19 advisory committee established by subsection (b).

20 (b) The Central State advisory committee is established.

21 (c) The committee consists of the following members:

22 (1) Four (4) members of the senate appointed by the president pro
23 tempore of the senate. Not more than two (2) members appointed
24 under this subdivision may be members of the same political
25 party. The members under this subdivision must be appointed so
26 that the following are satisfied:

27 (A) The senator in whose district Central State Hospital is
28 located must be a member of the committee.

29 (B) A senator who serves on the senate committee concerned
30 with financial matters must be a member of the committee.

31 (C) A senator who serves on the senate committee concerned
32 with health matters must be a member of the committee.

33 (2) Four (4) members of the house of representatives appointed by
34 the speaker of the house of representatives. Not more than two (2)
35 members appointed under this subdivision may be members of the
36 same political party. The members under this subdivision must be
37 appointed so that the following are satisfied:

38 (A) The representative in whose district Central State Hospital
39 is located must be a member of the committee.

40 (B) A representative who serves on the house committee
41 concerned with financial matters must be a member of the
42 committee.



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1 (C) A representative who serves on the house committee
 2 concerned with health matters must be a member of the
 3 committee.

4 (d) The president pro tempore of the senate shall appoint the chair
 5 of the committee. After the chair of the committee is appointed, the
 6 speaker of the house of representatives shall appoint the vice chair of
 7 the committee. The chair and the vice chair of the committee may not
 8 be members of the same political party.

9 (e) The committee shall meet at the call of the chair.

10 (f) The affirmative vote of five (5) members of the committee is
 11 necessary for the committee to take any action other than to meet to
 12 take testimony or to adjourn.

13 (g) Each member of the committee is entitled to receive the same
 14 per diem, mileage, and travel allowances paid to individuals serving as
 15 legislative members on interim study committees established by the
 16 legislative council.

17 (h) This subsection does not apply to a transaction or the renewal of
 18 a transaction if the transaction was entered into before January 1, 1994.
 19 Before the state may:

- 20 (1) sell, lease, or transfer possession of any part of the real
 21 property constituting the grounds of Central State Hospital; or
 22 (2) enter into an agreement for any transaction described in
 23 subdivision (1);

24 the governor must submit to the committee a detailed report describing
 25 the proposed transaction and the reasons for the proposed transaction.
 26 Upon receiving a report under this subsection, the chair of the
 27 committee shall call a meeting of the committee to act upon the report.
 28 The committee shall act upon the report within sixty (60) days of
 29 submission by the governor. The state may not proceed with the
 30 transaction until the governor responds to the committee's
 31 recommendation.

32 (i) The committee shall operate under policies and procedures
 33 established by the legislative council.

34 (j) This SECTION expires ~~January July 1, 1999~~ **2001**.

35 SECTION 5. P.L.13-1996, SECTION 3, IS AMENDED TO READ
 36 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 3. (a) The
 37 definitions in IC 4-13.5-1 ~~and IC 12-8-11~~ apply throughout this
 38 SECTION.

39 (b) In compliance with IC 4-13.5-1-3(b), the general assembly finds
 40 that the state needs construction **or renovation** of facilities for the
 41 purpose of providing program services at the Central State property.
 42 Subject to subsection (c), the state office building commission is



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1 authorized to provide the facilities under IC 4-13.5.

2 (c) Subject to approval of the central state advisory committee
3 established under P.L.40-1994, SECTION 87, review by the budget
4 committee, and approval of the budget agency, the state office building
5 commission may borrow money or issue and sell bonds under
6 IC 4-13.5-4 for the purpose of construction **or renovation** of a facility
7 **facilities** at the site where Central State Hospital was formerly located
8 as part of an integrated system consisting of multiple program facilities
9 with the possibility of varying sizes, capacities, and designs site to
10 serve the needs of children who have psychiatric, emotional,
11 developmental, or behavioral problems; **adults with mental illness**, if
12 the sum of the principal costs of the loans and bonds does not exceed
13 twenty million dollars (\$20,000,000).

14 (d) **This SECTION expires July 1, 2001.**

15 SECTION 6. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
16 **SECTION, "director" refers to the director of the division of**
17 **mental health.**

18 (b) **As used in this SECTION, "division" refers to the division**
19 **of mental health established by IC 12-21-1-1.**

20 (c) **The director shall include in the division's 1999-2001**
21 **biennial budget request submitted under IC 4-12-1 estimates of**
22 **appropriations, including capital appropriations, needed to plan**
23 **for and implement reestablishment of patient care for adult**
24 **individuals with mental illness at the site of Central State Hospital**
25 **not later than July 1, 2001.**

26 (d) **The director shall include in the division's 2001-2003**
27 **biennial budget request submitted under IC 4-12-1 estimates of**
28 **appropriations, including capital appropriations, needed to provide**
29 **patient care for adult individuals with mental illness at the site of**
30 **Central State Hospital.**

31 (e) **This SECTION expires July 1, 2001.**

32 SECTION 7. [EFFECTIVE UPON PASSAGE] (a) **Not later than**
33 **July 1, 2000, the division of mental health established by**
34 **IC 12-21-1-1 shall provide a written report to the legislative council**
35 **that provides specific details regarding the division's plans for**
36 **reestablishing patient care for adult individuals with mental illness**
37 **at the site of Central State Hospital as required by IC 12-14-1-8, as**
38 **added by this act.**

39 (b) **This SECTION expires July 1, 2001.**

40 SECTION 8. **An emergency is declared for this act.**

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SENATE MOTION

Mr. President: I move that Senator Breaux be added as second author of Senate Bill 215.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Environmental Affairs, to which was referred Senate Bill 215, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 4. P.L.40-1994, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 87. (a) As used in this SECTION, "committee" refers to the Central State advisory committee established by subsection (b).

(b) The Central State advisory committee is established.

(c) The committee consists of the following members:

(1) Four (4) members of the senate appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may be members of the same political party. The members under this subdivision must be appointed so that the following are satisfied:

(A) The senator in whose district Central State Hospital is located must be a member of the committee.

(B) A senator who serves on the senate committee concerned with financial matters must be a member of the committee.

(C) A senator who serves on the senate committee concerned with health matters must be a member of the committee.

(2) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may be members of the same political party. The members under this subdivision must be appointed so that the following are satisfied:

(A) The representative in whose district Central State Hospital is located must be a member of the committee.

(B) A representative who serves on the house committee concerned with financial matters must be a member of the committee.

(C) A representative who serves on the house committee concerned with health matters must be a member of the committee.

(d) The president pro tempore of the senate shall appoint the chair of the committee. After the chair of the committee is appointed, the speaker of the house of representatives shall appoint the vice chair of the committee. The chair and the vice chair of the committee may not be members of the same political party.

(e) The committee shall meet at the call of the chair.

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(f) The affirmative vote of five (5) members of the committee is necessary for the committee to take any action other than to meet to take testimony or to adjourn.

(g) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative members on interim study committees established by the legislative council.

(h) This subsection does not apply to a transaction or the renewal of a transaction if the transaction was entered into before January 1, 1994. Before the state may:

- (1) sell, lease, or transfer possession of any part of the real property constituting the grounds of Central State Hospital; or
- (2) enter into an agreement for any transaction described in subdivision (1);

the governor must submit to the committee a detailed report describing the proposed transaction and the reasons for the proposed transaction. Upon receiving a report under this subsection, the chair of the committee shall call a meeting of the committee to act upon the report. The committee shall act upon the report within sixty (60) days of submission by the governor. The state may not proceed with the transaction until the governor responds to the committee's recommendation.

(i) The committee shall operate under policies and procedures established by the legislative council.

(j) This SECTION expires ~~January July 1, 1999~~ **July 1, 2001**."

Page 4, between lines 12 and 13, begin a new paragraph and insert:
"SECTION 7. [EFFECTIVE UPON PASSAGE] (a) Not later than July 1, 2000, the division of mental health established by IC 12-21-1-1 shall provide a written report to the legislative council that provides specific details regarding the division's plans for reestablishing patient care for adult individuals with mental illness at the site of Central State Hospital as required by IC 12-14-1-8, as added by this act.

(b) This SECTION expires July 1, 2001."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to Senate Bill 215 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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