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# ENGROSSED

## SENATE BILL No. 215

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DIGEST OF SB 215 (Updated February 17, 1998 1:34 pm - DI 77)

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

**Synopsis:** Adults with mental illness. Repeals statutes providing for services for children at the site of Central State Hospital. Repeals bonding authority relating to renovation of the Central State Hospital site to provide such services. Delays expiration of the Central State Advisory Committee from January 1, 1999, to July 1, 2001. Requires the Central State Advisory Committee to study certain questions relating to providing services to adults with mental illness and adults with mental retardation.

**Effective:** Upon passage.

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**Miller, Breaux, Howard**

(HOUSE SPONSORS — SUMMERS, BEHNING)

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

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

January 20, 1998, read second time, ordered engrossed. Engrossed; reassigned to Committee on Finance.

January 29, 1998, amended, reported favorably — Do Pass.

February 2, 1998, reread second time, ordered engrossed. Engrossed.

February 3, 1998, read third time, passed. Yeas 48, nays 2.

HOUSE ACTION

February 10, 1998, read first time and referred to Committee on Public Health.

February 17, 1998, amended, reported — Do Pass.

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SE 215—LS 6942/DI 75+



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 ENROLLED ACT No. 215

AN ACT to amend the Indiana Code concerning human services.

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

SECTION 1. THE FOLLOWING ARE REPEALED [EFFECTIVE UPON PASSAGE]: IC 12-8-13; P.L.13-1996, SECTION 3.

SECTION 2. 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.

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(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.

(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



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recommendation.

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

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

**SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the central state advisory committee established by P.L.40-1994, SECTION 87, as amended by this act.**

**(b) The committee shall obtain the following information regarding adults with mental illness and adults with mental retardation:**

**(1) The number of adults with mental illness and adults with mental retardation.**

**(2) The number of adults with mental illness and adults with mental retardation confined by the department of correction.**

**(3) The number of adults with mental illness and adults with mental retardation who will:**

**(A) be released by the department of correction; and**

**(B) require services for mental illness or services for mental retardation.**

**(4) The number of adults with mental illness and adults with mental retardation confined in county jails.**

**(5) The number of adults with mental illness who will require services for mental illness.**

**(6) The number of adults with mental illness who require services for mental illness who will not receive adequate services. The committee shall determine the reasons for any lack of needed services.**

**(7) Classification of mental illness and associated numbers of adults with mental illness within each classification.**

**(8) The requirements for services, including the types of placements needed, for all adults with mental illness.**

**(9) The number of beds required to serve adults with mental illness.**

**(c) The information gathered under subsection (b) must:**

**(1) include total information both for the entire state and for the Central State catchment area; and**

**(2) be presented by July 1 of each year in a format of projections for each year, beginning with 1998 through 2002.**

**(d) The committee shall study the nature and scope of services required for each classification of mental illness determined under subsection (b)(7).**



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(e) The committee shall study appropriate strategies for providing services to the numbers of adults within each classification of mental illness determined under subsection (b)(7), including the following:

- (1) The kinds of private services available.
- (2) An evaluation of the cost of purchasing private services as compared with providing services in state institutional care.
- (3) The nature and availability of alternate services.

(f) The committee shall study funding and other fiscal issues related to providing appropriate services to adults with mental illness.

(g) The committee shall study administrative issues related to providing appropriate services to adults with mental illness.

(h) The committee shall study whether there is a need for institutional care for adult individuals with mental illness at the site of Central State Hospital.

(i) The committee may study other issues the committee considers relevant to determine the best way to provide appropriate services to adults with mental illness and adults with mental retardation.

(j) The committee shall study alternative forms of treatment and sentencing for adult offenders with mental retardation, including specialized services that may be provided in correctional facilities or other facilities.

(k) The division of mental health and other state agencies as determined by the committee shall:

- (1) provide all information the committee considers appropriate to its study under this SECTION; and
- (2) cooperate with the committee in the study required by this SECTION.

(l) The committee shall report the results of its study and its recommendations to the legislative council as the committee considers appropriate or as otherwise required by the legislative council.

(m) The state may proceed with the development of a plan for the site of Central State Hospital, but:

- (1) must report all details of a plan for the site of Central State Hospital to the committee; and
- (2) may not implement any part of a plan for the site of Central State Hospital until the committee reports the results of its study and its recommendations as required under subsection (l).

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**(n) This SECTION expires July 1, 2001.**  
**SECTION 4. An emergency is declared for this act.**

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