



March 19, 1999

**ENGROSSED
HOUSE BILL No. 1356**

DIGEST OF HB 1356 (Updated March 17, 1999 1:34 pm - DI 88)

Citations Affected: IC 16-18; IC 16-19.

Synopsis: Office of women's health. Establishes the office of women's health within the state department of health. Describes the purposes of the office. Requires the state health commissioner to appoint a director of the office and any other necessary employees to staff the office. Requires the state health commissioner to appoint an advisory committee on women's health to advise the director of the office regarding duties relating to the office. Prohibits the director or employees of the office from advocating, promoting, or advancing abortion or the use of contraceptives or abortifacients by a nonemancipated minor.

Effective: July 1, 1999.

**Crosby, Becker, Kruzan, Welch,
Summers, Dickinson, Budak, Duncan,
Goeglein, Klinker, Lawson L, Leuck,
Richardson, Pond, Scholer,
Whetstone, Brown C, Cheney,
Mellinger**

(SENATE SPONSORS — SIMPSON, GARD, BREAUX, MILLER, LAWSON C)

January 12, 1999, read first time and referred to Committee on Ways and Means.
February 10, 1999, amended, reported — Do Pass.
February 18, 1999, read second time, amended, ordered engrossed.
February 19, 1999, engrossed.
February 22, 1999, read third time, passed. Yeas 92, nays 5.

SENATE ACTION

February 25, 1999, read first time and referred to Committee on Health and Provider Services.
March 18, 1999, amended, reported favorably — Do Pass.

EH 1356—LS 7777/DI 77+



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March 19, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1356

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

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

1 SECTION 1. IC 16-18-2-96 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 96. (a) "**Director**", for
3 **purposes of IC 16-19-13, refers to the director of the office of**
4 **women's health established by IC 16-19-13.**

5 (b) "Director", for purposes of IC 16-28, IC 16-29, and IC 16-30,
6 means the individual acting under the authority of and assigned the
7 responsibility by the state health commissioner to implement IC 16-28,
8 IC 16-29, and IC 16-30.

9 ~~(b)~~ (c) "Director", for purposes of IC 16-31, refers to the director of
10 the state emergency management agency established under
11 IC 10-8-2-1.

12 ~~(c)~~ (d) "Director", for purposes of IC 16-35-2, refers to the director
13 of the program for children with special health care needs.

14 SECTION 2. IC 16-18-2-254.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
16 [EFFECTIVE JULY 1, 1999]: **Sec. 254.5. "Office", for purposes of**
17 **IC 16-19-13, refers to the office of women's health established by**

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1 **IC 16-19-13.**

2 SECTION 3. IC 16-19-13 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 1999]:

5 **Chapter 13. Office of Women's Health**

6 **Sec. 1. As used in this chapter, "office" refers to the office of**
7 **women's health established by this chapter.**

8 **Sec. 2. The office of women's health is established within the**
9 **state department.**

10 **Sec. 3. The office is established for the following purposes:**

11 (1) To educate and advocate for women's health by requesting
12 that the state department, either on its own or in partnership
13 with other entities, establish appropriate forums, programs,
14 or initiatives designed to educate the public regarding
15 women's health, with an emphasis on preventive health and
16 healthy lifestyles.

17 (2) To assist the state health commissioner in identifying,
18 coordinating, and establishing priorities for programs,
19 services, and resources the state should provide for women's
20 health issues and concerns relating to the reproductive,
21 menopausal, and postmenopausal phases of a woman's life,
22 with an emphasis on postmenopausal health.

23 (3) To serve as a clearinghouse and resource for information
24 regarding women's health data, strategies, services, and
25 programs that address women's health issues, including the
26 following:

27 (A) Diseases that significantly impact women, including
28 heart disease, cancer, and osteoporosis.

29 (B) Menopause.

30 (C) Mental health.

31 (D) Substance abuse.

32 (E) Sexually transmitted diseases.

33 (F) Sexual assault and domestic violence.

34 (4) To collect, classify, and analyze relevant research
35 information and data conducted or compiled by:

36 (A) the state department; or

37 (B) other entities in collaboration with the state
38 department;

39 and to provide interested persons with information regarding
40 the research results, except as prohibited by law.

41 (5) To develop and recommend funding and program
42 activities for educating the public on women's health



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1 initiatives, including the following:

- 2 (A) Health needs throughout the woman's life.
- 3 (B) Diseases that significantly affect women, including
- 4 heart disease, cancer, and osteoporosis.
- 5 (C) Access to health care for women.
- 6 (D) Poverty and women's health.
- 7 (E) The leading causes of morbidity and mortality for
- 8 women.
- 9 (F) Special health concerns of minority women.
- 10 (6) To make recommendations to the state health
- 11 commissioner regarding programs that address women's
- 12 health issues for inclusion in the state department's biennial
- 13 budget and strategic planning.
- 14 (7) To seek funding from private or governmental entities to
- 15 carry out the purposes of this chapter.
- 16 (8) To prepare materials for publication and dissemination to
- 17 the public on women's health.
- 18 (9) To conduct public educational forums in Indiana to raise
- 19 public awareness and to educate citizens about women's
- 20 health programs, issues, and services.
- 21 (10) To coordinate the activities and programs of the office
- 22 with other entities that focus on women's health or women's
- 23 issues, including the Indiana commission for women
- 24 (IC 4-23-25-3).
- 25 (11) Represent the state health commissioner, upon request,
- 26 before the general assembly and the Indiana commission for
- 27 women established by IC 4-23-25-3.
- 28 (12) Provide an annual report to the governor, the legislative
- 29 council, and the Indiana commission for women regarding the
- 30 successes of the programs of the office, priorities and services
- 31 needed for women's health in Indiana, and areas for
- 32 improvement.

33 (13) This section does not allow the director or any employees

34 of the office to advocate, promote, or advance the following:

- 35 (A) Abortion.
- 36 (B) The use of contraceptives or abortifacients by a
- 37 nonemancipated minor.

38 **Sec. 4. (a)** The state health commissioner shall appoint persons

39 to staff the office, including:

- 40 (1) the director of the office; and
- 41 (2) any other employees that the state health commissioner
- 42 determines are necessary.



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(b) The employees appointed under subsection (a)(2) shall report to the director. The director shall report to the state health commissioner.

(c) The director shall supervise the employees assigned to the office.

(d) The director shall oversee the administrative functions of the office.

Sec. 5. (a) The state health commissioner shall appoint an advisory committee on women's health to assist in advising the director regarding the duties required under this chapter.

(b) The advisory committee is comprised of persons with an expertise in and a knowledge of women's health issues in Indiana.

(c) The state health commissioner shall:

- (1) determine the number of persons to serve on the advisory committee;**
- (2) appoint a chairperson or co-chairpersons for the advisory committee; and**
- (3) establish the policies and procedures under which the advisory committee operates.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 16 through 21.

and when so amended that said bill do pass.

(Reference is to HB 1356 as introduced.)

BAUER, Chair

Committee Vote: yeas 23, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1356 be amended to read as follows:

Page 3, delete lines 9 through 10.

Page 3, between lines 33 and 34, begin a new paragraph and insert:
"(13) Nothing in this section shall be construed to allow the director or any employees of the office to advocate, promote, refer or otherwise advance abortion in any way."

(Reference is to HB 1356 as printed February 11, 1999.)

FRIZZELL

HOUSE MOTION

Mr. Speaker: I move that House Bill 1356 be amended to read as follows:

Page 2, line 27, delete "disproportionately" and insert "**significantly**".

Page 3, line 3, delete "disproportionately" and insert "**significantly**".

(Reference is to HB 1356 as printed February 11, 1999.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1356, 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 8 and 9, begin a new line double block indented and insert:

"(F) Special health concerns of minority women."

Page 3, line 32, delete "Nothing in this" and insert "**This**".

Page 3, line 32, delete "shall be construed to" and insert "**does not**".

Page 3, line 34, delete "refer".

Page 3, line 34, delete "otherwise".

Page 3, line 34, delete "abortion in any way." and insert "**the following**:"

(A) Abortion.

(B) The use of contraceptives or abortifacients by a nonemancipated minor."

and when so amended that said bill do pass.

(Reference is to HB 1356 as reprinted February 19, 1999.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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