



February 11, 1999

HOUSE BILL No. 2034

DIGEST OF HB 2034 (Updated February 10, 1999 1:29 pm - DI 97)

Citations Affected: IC 5-10; IC 12-17; IC 20-12; IC 27-8.

Synopsis: Coordination of insurance with state programs Makes technical corrections in the infants and toddlers with disabilities program to conform to federal law. Adds two members to the interagency coordinating council to include a representative of a Head Start agency or program in Indiana and a representative of a state agency responsible for child care. Requires that the interagency coordinating council meet quarterly. (Current law provides for at least four meetings per year.) Requires state employee health benefit plans, state educational institution employee health plans, and health insurance plans to reimburse the first steps program of the division of family and children for covered early intervention services provided under the program. Limits reimbursement to the first steps program to a maximum of \$5,000 per year. Prohibits the amount reimbursed to the first steps program from applying to an annual or lifetime maximum benefit under a plan. Requires a plan to deem amounts paid by the first steps program and covered under the plan as amounts paid by the first (Continued next page)

Effective: July 1, 1999.

Brown C, Becker, Budak, Crawford

January 27, 1999, read first time and referred to Committee on Public Health.
February 10, 1999, amended, reported — Do Pass.

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Digest Continued

steps child for purposes of out-of-pocket expenses payable by the child under the plan.

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HB 2034—LS 7369/DI 97+



February 11, 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.

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HOUSE BILL No. 2034

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

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

- 1 SECTION 1. IC 5-10-8-7.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 7.3. (a) As used in this section, "covered individual"**
4 **means an individual who is:**
5 (1) **covered under a self-insurance program established under**
6 **section 7(b) of this chapter to provide group health coverage;**
7 **or**
8 (2) **entitled to services under a contract with a prepaid health**
9 **care delivery plan that is entered into or renewed under**
10 **section 7(c) of this chapter.**
11 (b) **As used in this this section, "early intervention services"**
12 **means services provided to a first steps child under IC 12-17-15-3**
13 **and 20 U.S.C. 1432(4).**
14 (c) **As used in this section, "first steps child" means an infant or**
15 **toddler from birth through two (2) years of age who is enrolled in**

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1 the Indiana first steps program and is a covered individual.

2 (d) As used in this section, "first steps program" refers to the
3 program established under IC 12-17-15 and 20 U.S.C. 1431 et seq.
4 to meet the needs of:

- 5 (1) children who are eligible for early intervention services;
6 and
7 (2) their families.

8 The term includes the coordination of all available federal, state,
9 local, and private resources available to provide early intervention
10 services within Indiana.

11 (e) As used in this section, "health benefits plan" means a:

- 12 (1) self-insurance program established under section 7(b) of
13 this chapter to provide group health coverage; or
14 (2) contract with a prepaid health care delivery plan that is
15 entered into or renewed under section 7(c) of this chapter.

16 (f) A health benefits plan that provides coverage for early
17 intervention services shall reimburse the first steps program for
18 payments made by the program for early intervention services.

19 (g) The reimbursement required under subsection (f) is limited
20 to an annual maximum benefit of five thousand dollars (\$5,000) per
21 first steps child.

22 (h) The reimbursement required under subsection (f) may not
23 be applied to any annual or aggregate lifetime limit on the first
24 steps child's coverage under the health benefits plan.

25 (i) A health benefits plan shall deem payments made by the first
26 steps program for early intervention services provided to a first
27 steps child and covered under the health benefits plan as payment
28 by the first steps child for purposes of any required deductible,
29 copayment, or other out-of-pocket expense payable by a covered
30 individual under the health benefits plan.

31 SECTION 2. IC 12-17-15-3 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) As used in this
33 chapter, "early intervention services" means developmental services
34 that meet the following conditions:

- 35 (1) Are provided under public supervision.
36 (2) Are provided at no cost, except where federal or state law
37 allows for a system of payments by families, which may include
38 a sliding scale of fees.
39 (3) Are designed to meet the developmental needs of infants and
40 toddlers with disabilities in at least one (1) of the areas specified
41 in section 4(a)(1) of this chapter.
42 (4) Meet all required state and federal standards.



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- 1 (5) Are provided by qualified personnel, including the following:
- 2 (A) Early childhood special educators, early childhood
- 3 educators, and special educators.
- 4 (B) Speech and language pathologists and audiologists.
- 5 (C) Occupational therapists.
- 6 (D) Physical therapists.
- 7 (E) Psychologists.
- 8 (F) Social workers.
- 9 (G) Nurses.
- 10 (H) Nutritionists.
- 11 (I) Family therapists.
- 12 (J) Orientation and mobility specialists.
- 13 (K) Pediatricians and other physicians.
- 14 (6) To the maximum extent appropriate, are provided in natural
- 15 environments, including the home and community settings in
- 16 which children without disabilities participate.
- 17 (7) Are provided in conformity with an individualized family
- 18 service plan adopted in accordance with 20 U.S.C. ~~1477~~ **1435**.
- 19 (b) The term includes the following services:
- 20 (1) Family training, counseling, and home visits.
- 21 (2) Special instruction.
- 22 (3) Speech and language pathology and audiology.
- 23 (4) Occupational therapy.
- 24 (5) Physical therapy.
- 25 (6) Psychological services.
- 26 (7) Service coordination services.
- 27 (8) Medical services only for diagnostic, evaluation, or
- 28 consultation purposes.
- 29 (9) Early identification, screening, and assessment services.
- 30 (10) Other health services necessary for the infant or toddler to
- 31 benefit from the services.
- 32 (11) Vision services.
- 33 (12) Supportive technology services.
- 34 (13) Transportation and related costs that are necessary to enable
- 35 an infant or a toddler and the infant or toddler's family to receive
- 36 early intervention services.
- 37 SECTION 3. IC 12-17-15-4 IS AMENDED TO READ AS
- 38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) As used in this
- 39 chapter, "infants and toddlers with disabilities" means individuals ~~less~~
- 40 **than three (3) from birth through two (2) years of age life** who need
- 41 early intervention services because the individuals meet the following
- 42 conditions:

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- 1 (1) Are experiencing developmental delays, as measured by
 2 appropriate diagnostic instruments and procedures, in at least one
 3 (1) of the following:
 4 (A) Cognitive development.
 5 (B) Physical development.
 6 (C) Communication development.
 7 (D) Social or emotional development.
 8 (E) Adaptive development.
 9 (2) Have a diagnosed physical or mental condition that has a high
 10 probability of resulting in developmental delay.

11 (b) This term may also include, under rules adopted by the division,
 12 individuals ~~who are less than three (3) from birth through two (2)~~
 13 years of ~~age~~ **life** and who are at risk of having substantial
 14 developmental delays if early intervention services are not provided.

15 SECTION 4. IC 12-17-15-5 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. The purposes of this
 17 chapter are as follows:

- 18 (1) To enhance the development and minimize the potential for
 19 developmental delay of infants and toddlers with disabilities.
 20 (2) To reduce the educational costs to the state by minimizing the
 21 need for special education and related services after infants and
 22 toddlers with disabilities reach school age.
 23 (3) To minimize the likelihood of institutionalization and
 24 maximize the potential for independent living of individuals with
 25 disabilities.
 26 (4) To enhance the capacity of families to meet the special needs
 27 of infants and toddlers with disabilities.
 28 (5) To comply with 20 U.S.C. ~~1471~~ **1431** through ~~1485~~ **1445**.

29 SECTION 5. IC 12-17-15-6 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) The section shall
 31 do the following:

- 32 (1) Carry out the general administration and supervision of
 33 programs and activities receiving assistance under this chapter,
 34 monitor programs and activities implemented by the state,
 35 regardless of whether the programs and activities are receiving
 36 assistance under this chapter, and ensure that the state complies
 37 with 20 U.S.C. ~~1471~~ **1431** through ~~1485~~ **1445** in implementing
 38 this chapter.
 39 (2) Identify and coordinate all available resources from federal,
 40 state, local, and private sources, including public and private
 41 insurance coverage and utilizing all existing applicable resources
 42 to the full extent of the resources.



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- 1 (3) Develop the procedures to ensure that early intervention
- 2 services are provided to infants and toddlers with disabilities and
- 3 their families in a timely manner pending the resolution of
- 4 disputes among public agencies and providers.
- 5 (4) Resolve disputes within an agency or between agencies.
- 6 (5) Enter into formal interagency agreements that define the
- 7 financial responsibility of each agency for paying for early
- 8 intervention services consistent with Indiana law and procedures
- 9 for resolving disputes, including all additional components
- 10 necessary to ensure meaningful cooperation and coordination.

11 (b) The state shall designate an individual or entity responsible for
 12 assigning financial responsibility among appropriate agencies under
 13 this chapter.

14 SECTION 6. IC 12-17-15-8 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The council
 16 consists of at least fifteen (15) but not more than twenty-five (25)
 17 members appointed by the governor as follows:

- 18 (1) At least twenty percent (20%) of the members must be
- 19 parents, including minority parents, of infants or toddlers with
- 20 disabilities or children who are ~~less than thirteen (13)~~ **twelve (12)**
- 21 years of age **or younger** with disabilities who have knowledge of,
- 22 or experience with, programs for infants and toddlers with
- 23 disabilities. At least one (1) of the members described in this
- 24 subdivision must be a parent of an infant or toddler with a
- 25 disability or a child with a disability who is ~~less than seven (7)~~ **six**
- 26 **(6)** years of age **or younger**.
- 27 (2) At least twenty percent (20%) of the members must be public
- 28 or private providers of early intervention services.
- 29 (3) At least one (1) member must be a member of the general
- 30 assembly.
- 31 (4) Each of the state agencies involved in the provision of, or
- 32 payment for, early intervention services to infants and toddlers
- 33 with disabilities and their families must be represented by at least
- 34 one (1) member. The members described in this subdivision must
- 35 have sufficient authority to engage in policy planning and
- 36 implementation on behalf of the state agency the member
- 37 represents.
- 38 (5) At least one (1) member must be involved in personnel
- 39 preparation.
- 40 (6) At least one (1) member must represent a state educational
- 41 agency responsible for preschool services to children with
- 42 disabilities and must have sufficient authority to engage in policy

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1 planning and implementation on behalf of the agency.

2 (7) At least one (1) member must represent the department of
3 insurance created under IC 27-1-1-1.

4 **(8) At least one (1) member must represent a Head Start
5 agency or program in Indiana.**

6 **(9) At least one (1) member must represent a state agency
7 responsible for child care.**

8 (b) To the extent possible, the governor shall ensure that the
9 membership of the council reasonably represents the population of
10 Indiana.

11 SECTION 7. IC 12-17-15-13 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. The council shall
13 meet at least ~~four (4) times each year.~~ **quarterly.**

14 SECTION 8. IC 12-17-15-15 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. The council shall
16 do the following:

17 (1) Advise and assist the section in the performance of the
18 responsibilities set forth in section 6 of this chapter, particularly
19 the following:

20 (A) Identification of the sources of fiscal and other support for
21 services for early intervention programs.

22 (B) Use of the existing resources to the full extent in
23 implementing early intervention programs.

24 (C) Assignment of financial responsibility to the appropriate
25 agency.

26 (D) Promotion of the interagency agreements.

27 (2) Advise and assist the section in the preparation of applications
28 required under 20 U.S.C. ~~1471~~ **1431** through ~~1485~~ **1445**.

29 (3) Prepare and submit an annual report to the governor, the
30 general assembly, and the United States Secretary of Education by
31 November 1 of each year concerning the status of early
32 intervention programs for infants and toddlers with disabilities
33 and their families.

34 (4) Periodically request from the agencies responsible for
35 providing early childhood intervention services for infants and
36 toddlers with disabilities and preschool special education
37 programs written reports concerning the implementation of each
38 agency's respective programs.

39 (5) Make recommendations to the various agencies concerning
40 improvements to each agency's delivery of services.

41 (6) Otherwise comply with 20 U.S.C. ~~1482~~ **1441**.

42 SECTION 9. IC 12-17-15-16 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16. (a) To the extent
 2 that the services are appropriate, the council shall advise and assist the
 3 department of education regarding the transition of toddlers with
 4 disabilities to preschool special education services under IC 20-1-6.

5 (b) The council may advise and assist the section and the
 6 department of education regarding the provision of appropriate services
 7 for children who are ~~less than six (6)~~ **five (5)** years of age **or younger**.

8 SECTION 10. IC 12-17-15-17 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. Upon the
 10 recommendations of the council, the section shall adopt rules under
 11 IC 4-22-2 providing for a statewide system of coordinated,
 12 comprehensive, multidisciplinary, interagency programs that provide
 13 appropriate early intervention services to all infants and toddlers with
 14 disabilities and their families to the extent required under 20 U.S.C.
 15 ~~1471 1431~~ through ~~1485 1445~~.

16 SECTION 11. IC 12-17-15-18 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 18. To the extent
 18 required in 20 U.S.C. ~~1471 1431~~ through ~~1485 1445~~, the statewide
 19 system must include the following:

20 (1) A definition of the term "developmentally delayed" to be used
 21 in carrying out the programs under this chapter.

22 (2) The timetables necessary for ensuring that the appropriate
 23 early intervention services are available to all infants and toddlers
 24 with disabilities before the beginning of the fifth year of the state's
 25 participation under 20 U.S.C. ~~1471 1431~~ through ~~1485 1445~~.

26 (3) A timely, comprehensive, multidisciplinary evaluation of the
 27 functioning of each infant and toddler with disabilities in Indiana
 28 and the needs of the families to appropriately assist in the
 29 development of the infant and toddler with disabilities program.

30 (4) For each infant and toddler with disabilities in Indiana, an
 31 individualized family service plan in accordance with 20 U.S.C.
 32 ~~1477, 1436~~, including case management services consistent with
 33 the individualized family service plan.

34 (5) A comprehensive system for identifying infants and toddlers
 35 with disabilities, including a system for making referrals to
 36 service providers that:

37 (A) includes time lines; and

38 (B) provides for the participation by primary referral sources.

39 (6) A public awareness program.

40 (7) A central directory that includes early intervention services,
 41 resources, experts, and research and demonstration projects being
 42 conducted.



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- 1 (8) A comprehensive system of personnel development.
- 2 (9) A policy pertaining to the contracting or making of other
- 3 arrangements with service providers to provide early intervention
- 4 services in Indiana, consistent with 20 U.S.C. ~~1471~~ **1431** through
- 5 ~~1485~~ **1445** and including the contents of the application used and
- 6 the conditions of the contract or other arrangements.
- 7 (10) A procedure for securing timely reimbursement of funds
- 8 used under this chapter in accordance with 20 U.S.C. ~~1481(a)~~:
- 9 **1440(a).**
- 10 (11) Procedural safeguards with respect to programs under this
- 11 chapter as required under 20 U.S.C. ~~1480~~: **1439.**
- 12 (12) Policies and procedures relating to the establishment and
- 13 maintenance of standards to ensure that personnel necessary to
- 14 carry out this chapter are appropriately and adequately prepared
- 15 and trained, including the following:
- 16 (A) The establishment and maintenance of standards that are
- 17 consistent with any state approved or recognized certification,
- 18 licensing, registration, or other comparable requirements that
- 19 apply to the area in which the personnel are providing early
- 20 intervention services.
- 21 (B) To the extent the standards are not based on the highest
- 22 requirements in Indiana applicable to the specific profession
- 23 or discipline, the steps the state is taking to require the
- 24 retraining or hiring of personnel that meet appropriate
- 25 professional requirements in Indiana.
- 26 (13) A system for compiling data on the following:
- 27 (A) The numbers of infants and toddlers with disabilities and
- 28 their families in Indiana in need of appropriate early
- 29 intervention services, which may be based on a sampling of
- 30 data.
- 31 (B) The numbers of infants and toddlers and their families
- 32 served.
- 33 (C) The types of services provided, which may be based on a
- 34 sampling of data.
- 35 (D) Other information required under 20 U.S.C. ~~1471~~ **1431**
- 36 through ~~1485~~:

37 SECTION 12. IC 20-12-3.2 IS ADDED TO THE INDIANA CODE
 38 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 1999]:

40 **Chapter 3.2. State Educational Institution Employee Health**
 41 **Plans**

42 **Sec. 1. (a) For purposes of this chapter, "covered individual"**

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1 means an individual entitled to coverage under an employee health
2 plan.

3 (b) For purposes of this chapter, "early intervention services"
4 means services provided to a first steps child under IC 12-17-15-3
5 and 20 U.S.C. 1432(4).

6 (c) For purposes of this chapter, "employee health plan" means:

7 (1) a self-insurance plan;

8 (2) a group contract entered into or renewed by a state
9 educational institution with a health maintenance
10 organization (as defined in IC 27-13-1-19) to provide services
11 to employees of the state educational institution; or

12 (3) a policy of accident and sickness insurance (as defined in
13 IC 27-8-5-1) issued or renewed on a group basis to a state
14 educational institution to provide coverage for employees of
15 the state educational institution.

16 (d) For purposes of this chapter, "first steps child" means an
17 infant or toddler from birth through two (2) years of age who is
18 enrolled in the Indiana first steps program and is a covered
19 individual.

20 (e) As used in this chapter, "first steps program" means the
21 program established under IC 12-17-15 and 20 U.S.C. 1431 et seq.
22 to meet the needs of:

23 (1) children who are eligible for early intervention services;
24 and

25 (2) their families.

26 The term includes the coordination of all available federal, state,
27 local, and private resources available to provide early intervention
28 services within Indiana.

29 (f) As used in this chapter, "self-insurance plan" means a
30 program of self-insurance established and maintained by a state
31 educational institution (as defined in IC 20-12-0.5-1) to cover the
32 provision of health care services (as defined in IC 27-8-11-1) to its
33 employees.

34 **Sec. 2.** An employee health plan that provides coverage for early
35 intervention services shall reimburse the first steps program for
36 payments made by the program for early intervention services.

37 **Sec. 3.** The reimbursement required under section 2 of this
38 chapter is limited to an annual maximum benefit of five thousand
39 dollars (\$5,000) per first steps child.

40 **Sec. 4.** The reimbursement required under section 2 of this
41 chapter may not be applied to any annual or aggregate lifetime
42 limit on the first steps child's coverage under the employee health



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plan.

Sec. 5. An employee health plan shall deem payments made by the first steps program for early intervention services provided to a first steps child and covered under the employee health plan as payment by the first steps child for purposes of any required deductible, copayment, or other out-of-pocket expense payable by a covered individual under the employee health plan.

SECTION 13. IC 27-8-27 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 27. Coverage for Services to Infants and Toddlers With Disabilities

Sec. 1. For purposes of this chapter, "early intervention services" means services provided to a first steps child under IC 12-17-15-3 and 20 U.S.C. 1432(4).

Sec. 2. For purposes of this chapter, "first steps child" means an infant or toddler from birth through two (2) years of age who is enrolled in the Indiana first steps program and is an insured.

Sec. 3. As used in this chapter, "first steps program" means the program established under IC 12-17-15 and 20 U.S.C. 1431 et seq. to meet the needs of:

- (1) children who are eligible for early intervention services;**
- and**
- (2) their families.**

The term includes the coordination of all available federal, state, local, and private resources available to provide early intervention services within Indiana.

Sec. 4. (a) For purposes of this chapter, "health insurance plan" means any:

- (1) hospital or medical expense incurred policy or certificate;**
- (2) hospital or medical service plan contract; or**
- (3) health maintenance organization subscriber contract;**

provided to an insured.

(b) The term does not include the following:

- (1) Accident-only, credit, dental, Medicare supplement, long term care, or disability income insurance.**
- (2) Coverage issued as a supplement to liability insurance.**
- (3) Worker's compensation or similar insurance.**
- (4) Automobile medical payment insurance.**
- (5) A specified disease policy issued as an individual policy.**
- (6) A limited benefit health insurance plan issued as an individual policy.**

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- (7) A short term insurance plan that:**
 - (A) may not be renewed; and**
 - (B) has a duration of not more than six (6) months.**
- (8) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.**

Sec. 5. As used in this chapter, "insured" means an individual covered by a health insurance plan.

Sec. 6. As used in this chapter, "insurer" has the meaning set forth in IC 27-8-14.5-3.

Sec. 7. A health insurance plan that provides coverage for early intervention services shall reimburse the first steps program for payments made by the program for early intervention services.

Sec. 8. The reimbursement required under section 7 of this chapter is limited to an annual maximum benefit of five thousand dollars (\$5,000) per first steps child.

Sec. 9. The reimbursement required under section 7 of this chapter may not be applied to any annual or aggregate lifetime limit on the first steps child's coverage under the health insurance plan.

Sec. 10. An insurer shall deem payments made by the first steps program for early intervention services provided to a first steps child and covered under the health insurance plan as payment by the first steps child for purposes of any required deductible, copayment, or other out of pocket expense payable by an insured under the health insurance plan.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 2034, 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 2, line 27, before "as" insert "**and covered under the health benefits plan**".

Page 8, line 39, delete "Self-Insurance" and insert "**Employee Health**".

Page 8, line 41, delete "a self-insurance" and insert "**an employee health**".

Page 9, between lines 3 and 4, begin a new paragraph and insert:
"(c) For purposes of this chapter, "employee health plan" means:

- (1) a self-insurance plan;**
- (2) a group contract entered into or renewed by a state educational institution with a health maintenance organization (as defined in IC 27-13-1-19) to provide services to employees of the state educational institution; or**
- (3) a policy of accident and sickness insurance (as defined in IC 27-8-5-1) issued or renewed on a group basis to a state educational institution to provide coverage for employees of the state educational institution."**

Page 9, line 4, delete "(c)" and insert "**(d)**".

Page 9, line 8, delete "(d)" and insert "**(e)**".

Page 9, line 8, delete "section," and insert "**chapter,**".

Page 9, line 17, delete "(e)" and insert "**(f)**".

Page 9, line 22, delete "A self-insurance" and insert "**An employee health**".

Page 9, line 30, delete "self-insurance" and insert "**employee health**".

Page 9, line 32, delete "A self-insurance" and insert "**An employee health**".

Page 9, line 34, before "as" insert "**and covered under the employee health plan**".

Page 9, line 36, delete "self-insurance" and insert "**employee health**".

Page 10, line 7, delete "section," and insert "**chapter,**".

Page 10, line 16, after "4." insert "**(a)**".

Page 10, line 16, delete "has" and insert "**means any:**

- (1) hospital or medical expense incurred policy or certificate;**
- (2) hospital or medical service plan contract; or**

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(3) health maintenance organization subscriber contract; provided to an insured.

(b) The term does not include the following:

- (1) Accident-only, credit, dental, Medicare supplement, long term care, or disability income insurance.**
- (2) Coverage issued as a supplement to liability insurance.**
- (3) Worker's compensation or similar insurance.**
- (4) Automobile medical payment insurance.**
- (5) A specified disease policy issued as an individual policy.**
- (6) A limited benefit health insurance plan issued as an individual policy.**
- (7) A short term insurance plan that:
 - (A) may not be renewed; and**
 - (B) has a duration of not more than six (6) months.****
- (8) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement."**

Page 10, delete line 17.

Page 10, line 34, before "as" insert "**and covered under the health insurance plan**".

and when so amended that said bill do pass.

(Reference is to HB 2034 as introduced.)

BROWN C, Chair

Committee Vote: yeas 13, nays 0.

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