

HOUSE BILL No. 1656

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2; IC 12-11-13.

Synopsis: Children with special health care needs commission. Establishes the children with special health care needs commission. Requires the commission to: (1) monitor and evaluate the availability and provision of health services to special needs children, including the coordination of special needs children services between governmental agencies; (2) monitor and evaluate the services provided to special needs children under governmental programs, including the children's health insurance program; and (3) make recommendations to appropriate governmental agencies to improve the availability and provision of health and educational services to special needs children. Staggers the terms of the initial commission appointments.

Effective: July 1, 1999.

Goeglein, Budak

January 21, 1999, read first time and referred to Committee on Public Health.

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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.

HOUSE BILL No. 1656

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 12-7-2-34 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 34. "Commission"
- 3 means the following:
- 4 (1) For purposes of IC 12-10-2, the meaning set forth in
- 5 IC 12-10-2-1.
- 6 (2) For purposes of IC 12-11-7, the meaning set forth in
- 7 IC 12-11-7-1.
- 8 (3) **For purposes of IC 12-11-13, the meaning set forth in**
- 9 **IC 12-11-13-1.**
- 10 (4) For purposes of IC 12-12-2, the meaning set forth in
- 11 IC 12-12-2-1.
- 12 ~~(4)~~ (5) For purposes of IC 12-13-14, the meaning set forth in
- 13 IC 12-13-14-1.
- 14 ~~(5)~~ (6) For purposes of IC 12-14-12, the meaning set forth in
- 15 IC 12-14-12-1.
- 16 ~~(6)~~ (7) For purposes of IC 12-28-1, the meaning set forth in
- 17 IC 12-28-1-3.



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1 SECTION 2. IC 12-7-2-180.2 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 1999]: **Sec. 180.2. "Special needs children",**
4 **for purposes of IC 12-11-13, has the meaning set forth in**
5 **IC 12-11-13-2.**

6 SECTION 3. IC 12-11-13 IS ADDED TO THE INDIANA CODE
7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 1999]:

9 **Chapter 13. Children With Special Health Care Needs**
10 **Commission**

11 **Sec. 1. As used in this chapter, "commission" refers to the**
12 **children with special health care needs commission established by**
13 **section 3 of this chapter.**

14 **Sec. 2. As used in this chapter, "special needs children" means**
15 **individuals who are less than twenty-one (21) years of age who**
16 **have been diagnosed by a physician with at least one (1) of the**
17 **following conditions that interferes with the individual's daily**
18 **routine and requires extensive medical intervention or extensive**
19 **family management:**

- 20 (1) **Birth defect, including genetic, congenital, or acquired**
21 **disorders.**
- 22 (2) **Developmental disability (as defined in IC 12-7-2-61(2)).**
- 23 (3) **Mental illness (as defined in IC 12-7-2-130(1)), including**
24 **behavioral disorder.**
- 25 (4) **Chronic and complex illnesses.**

26 **Sec. 3. The children with special health care needs commission**
27 **is established.**

28 **Sec. 4. (a) The commission consists of twelve (12) members.**

29 **(b) The speaker of the house of representatives and the**
30 **president pro tempore of the senate shall each appoint two (2)**
31 **legislative members, not more than two (2) from the same political**
32 **party, to serve on the commission.**

33 **(c) The governor shall each appoint eight (8) lay members, not**
34 **more than four (4) from the same political party, to serve a three**
35 **(3) year term on the commission as follows:**

- 36 (1) **One (1) parent of a child with a chronic illness.**
- 37 (2) **One (1) parent of a child with a developmental disability**
38 **or mental illness.**
- 39 (3) **One (1) psychiatrist who is licensed under IC 25-22.5.**
- 40 (4) **One (1) psychologist who is licensed under IC 25-33.**
- 41 (5) **One (1) pediatrician who is licensed under IC 25-22.5 and**
42 **whose practice includes services for special needs children.**



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1 **(6) One (1) representative of a hospital that specializes in**
 2 **services for children.**

3 **(7) One (1) local health officer as referred to in IC 16-20.**

4 **(8) One (1) teacher who provides services to special needs**
 5 **children.**

6 **Sec. 5. (a) The governor shall appoint the chairperson and vice**
 7 **chairperson from among the commission members. The**
 8 **chairperson and vice chairperson serve at the pleasure of the**
 9 **governor.**

10 **(b) If a vacancy of a member appointed under section 4(c) of**
 11 **this chapter occurs on the commission, the governor shall appoint**
 12 **a successor to finish the term of the member. The governor must**
 13 **appoint a person to fill a vacancy on the commission not more than**
 14 **sixty (60) days after the vacancy occurs.**

15 **Sec. 6. (a) The commission shall meet upon the call of the**
 16 **chairperson. However, the commission shall meet not less than**
 17 **three (3) times per year.**

18 **(b) Seven (7) commission members constitute a quorum. Seven**
 19 **(7) affirmative votes are required for the commission to take an**
 20 **action.**

21 **(c) The office of the secretary of family and social services shall**
 22 **provide staff support to the commission.**

23 **Sec. 7. The commission shall do the following:**

24 **(1) Monitor and evaluate the availability and provision of**
 25 **health services to special needs children, including the**
 26 **coordination of special needs children services between**
 27 **governmental agencies.**

28 **(2) Monitor and evaluate the services provided to special**
 29 **needs children under governmental programs, including the**
 30 **children's health insurance program.**

31 **(3) Make recommendations to the appropriate governmental**
 32 **agencies to improve the availability and provision of health**
 33 **and educational services to special needs children.**

34 **Sec. 8. Each member of the commission is entitled to the**
 35 **minimum salary per diem provided by IC 4-10-11-2.1(b). Each**
 36 **member is also entitled to reimbursement for traveling expenses**
 37 **and other expenses actually incurred in connection with the**
 38 **member's duties, as provided in the state travel policies and**
 39 **procedures established by the Indiana department of**
 40 **administration and approved by the budget agency. Expenses**
 41 **incurred under this section shall be paid out of the funds**
 42 **appropriated to the office of the secretary of family and social**



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- 1 services.
2 SECTION 4. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding
3 IC 12-11-13-4(c), as added by this act, the initial terms of office of
4 the eight (8) members of the children with special health care needs
5 commission appointed by the governor are as follows:
6 (1) One (1) parent of a child with a chronic illness for a term
7 of three (3) years.
8 (2) One (1) parent of a child with a developmental disability
9 or behavioral disorder for a term of two (2) years.
10 (3) One (1) psychiatrist who is licensed under IC 25-22.5 for
11 a term of one (1) year.
12 (4) One (1) psychologist who is licensed under IC 25-33 for a
13 term of three (3) years.
14 (5) One (1) pediatrician who is licensed under IC 25-22.5 and
15 whose practice includes services for special needs children for
16 a term of two (2) years.
17 (6) One (1) representative of a hospital that specializes in
18 services for children for a term of one (1) year.
19 (7) One (1) local health officer as referred to in IC 16-20 for
20 a term of three (3) years.
21 (8) One (1) teacher who provides services to special needs
22 children for a term of two (2) years.
23 (b) The initial terms of the commission members begin on July
24 1, 1999.
25 (c) This SECTION expires July 1, 2003.

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