



January 21, 2000

SENATE BILL No. 504

DIGEST OF SB 504 (Updated January 19, 2000 2:50 PM - DI 88)

Citations Affected: IC 12-7; IC 12-15; IC 12-17.6.

Synopsis: Medicaid and children's health insurance program. Defines "emergency" for purposes of the children's health insurance program (CHIP). Prohibits cost sharing under CHIP for emergency services provided within a hospital emergency department. Requires the office of Medicaid policy and planning and the office administering CHIP to request repayment of an overpayment made to a provider under the Medicaid program or CHIP.

Effective: July 1, 2000.

Miller, Simpson

January 10, 2000, read first time and referred to Committee on Health and Provider Services.
January 20, 2000, amended, reported favorably — Do Pass.

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SB 504—LS 6835/DI 97+



January 21, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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SENATE BILL No. 504

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 12-7-2-76.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 76.5. (a) "Emergency",
3 for purposes of IC 12-20, means an unpredictable circumstance or a
4 series of unpredictable circumstances that:

5 (1) place the health or safety of a household or a member of a
6 household in jeopardy; and

7 (2) cannot be remedied in a timely manner by means other than
8 township assistance.

9 (b) "Emergency", for purposes of IC 12-17.6, has the meaning
10 set forth in IC 12-17.6-1-2.6.

11 SECTION 2. IC 12-15-23-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. If the administrator
13 determines that a provider has received payments the provider is not
14 entitled to, the administrator may:

15 (1) request in writing that the provider repay the amount of
16 the overpayment; and

17 (2) enter into an agreement with the provider stating that the

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- 1 amount of the overpayment shall be deducted from subsequent
2 payments to the provider.
- 3 SECTION 3. IC 12-17.6-1-2.6 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2000]: **Sec. 2.6. "Emergency" means a**
6 **medical condition that arises suddenly and unexpectedly and**
7 **manifests itself by acute symptoms of such severity, including**
8 **severe pain, that the absence of immediate medical attention could**
9 **reasonably be expected by a prudent lay person who possesses an**
10 **average knowledge of health and medicine to:**
- 11 (1) **place an individual's health in serious jeopardy;**
12 (2) **result in serious impairment to the individual's bodily**
13 **functions; or**
14 (3) **result in serious dysfunction of a bodily organ or part of**
15 **the individual.**
- 16 SECTION 4. IC 12-17.6-2-13 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2000]: **Sec. 13. If the office determines that**
19 **an overpayment has been made to a provider, the office shall**
20 **request in writing that the provider repay the amount of the**
21 **overpayment.**
- 22 SECTION 5. IC 12-17.6-4-3, AS ADDED BY P.L.273-1999,
23 SECTION 177, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2000]: **Sec. 3. Premium and cost sharing**
25 **amounts established by the office are limited by the following:**
- 26 (1) Deductibles, coinsurance, or other cost sharing is not
27 permitted with respect to benefits for:
28 (A) well-baby and well-child care, including age appropriate
29 immunizations; **and**
30 (B) **services provided for treatment of an emergency in an**
31 **emergency department of a hospital licensed under**
32 **IC 16-21.**
- 33 (2) Premiums and other cost sharing may be imposed based on
34 family income. However, the total annual aggregate cost sharing
35 with respect to all children in a family under this article may not
36 exceed five percent (5%) of the family's income for the year.

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SENATE MOTION

Mr. President: I move that Senator Simpson be added as coauthor of Senate Bill 504.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 504, 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 1, delete lines 11 through 17.

Delete page 2.

Page 3, delete line 1.

Page 3, line 6, delete "not more than twelve (12) months after the provider".

Page 3, line 7, delete "receives the overpayment,".

Page 3, line 28, after "shall" delete ", not".

Page 3, delete line 29.

Page 3, line 30, delete "overpayment,".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 504 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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