

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1350

AN ACT to amend the Indiana Code concerning health.

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

SECTION 1. IC 16-18-2-62 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 62. (a) "Commission", for purposes of IC 16-19-6, refers to the commission for special institutions.

(b) "Commission", for purposes of IC 16-31, refers to the Indiana emergency medical services commission.

(c) **"Commission", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-1.**

SECTION 2. IC 16-18-2-161.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 161.5. "Health care interpreter", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-2.**

SECTION 3. IC 16-18-2-163.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 163.5. "Health care translator", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-3.**

SECTION 4. IC 16-46-11.1 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]:**

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Chapter 11.1. Commission on Health Care Interpreters and Translators

Sec. 1. For purposes of this chapter, "commission" refers to the commission on health care interpreters and translators established by section 4 of this chapter.

Sec. 2. For purposes of this chapter, "health care interpreter" means a professional interpreter who works primarily in the field of health care facilitating the oral communication among a:

- (1) provider;
- (2) patient; and
- (3) patient's family.

Sec. 3. For purposes of this chapter, "health care translator" means a professional translator who:

- (1) works primarily in the field of health care; and
- (2) specializes in the translation of written medical documents from one (1) language into another.

Sec. 4. The commission on health care interpreters and translators is established. The state department shall provide staff for the commission.

Sec. 5. (a) The commission consists of the following fifteen (15) members:

- (1) One (1) member representing the state department.
- (2) One (1) member representing local health departments.
- (3) One (1) member representing the medical profession.
- (4) One (1) member representing institutions of higher education in Indiana.
- (5) Two (2) members representing patient advocacy groups.
- (6) One (1) member representing community organizations.
- (7) One (1) member representing interpreter professional associations.
- (8) One (1) member representing translator professional associations.
- (9) One (1) member representing hospitals.
- (10) One (1) member representing the interagency state council on black and minority health.
- (11) One (1) member representing the department of correction who is nominated by the commissioner of the department of correction.
- (12) One (1) member representing the department of education who is nominated by the state superintendent of public instruction.

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(13) One (1) member representing the office of Medicaid policy and planning who is nominated by the director of the office of Medicaid policy and planning.

(14) The executive director of the health professions bureau or the executive director's designee.

The state health commissioner shall appoint the members of the commission designated by subdivisions (1) through (13). The appointments made under this subsection must be made in a manner to maintain cultural and language diversity.

(b) The state health commissioner shall designate:

- (1) one (1) member as chairperson of the commission; and
- (2) one (1) member as vice chairperson of the commission.

(c) Except for the member of the commission designated by subsection (a)(14), a member is appointed to a term of two (2) years or until a successor is appointed. A member may be reappointed to an unlimited number of terms.

(d) Except for the member of the commission designated by subsection (a)(14), if a member:

- (1) resigns;
- (2) dies; or
- (3) is removed from the commission;

before the expiration of the member's term, the state health commissioner shall appoint a new member to serve for the remainder of the term.

(e) The expenses of the commission shall be paid from funds appropriated to the state department.

(f) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure.

(h) The commission shall meet quarterly or on the call of the chairperson.

Sec. 6. The commission shall do the following:

- (1) Write bylaws concerning the operation of the commission.
- (2) Define the terms "health care interpreter" and "health care translator".

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(3) Review and determine the proper level of regulation or oversight that Indiana should have over health care interpreters and health care translators practicing in Indiana.

(4) Recommend the level and type of education necessary to perform the job of:

(A) a health interpreter; and

(B) a health care translator.

(5) Recommend standards that health care interpreters and health care translators should meet in order to practice in Indiana.

SECTION 5. [EFFECTIVE JULY 1, 2004] (a) The initial terms of office of the fourteen (14) individuals described IC 16-46-11.1-5(a)(1) through IC 16-46-11.1-5(a)(13), initially appointed to the commission on health care interpreters and translators under IC 16-46-11.1-5, as added by this act, are as follows:

(1) Seven (7) members for a term of one (1) year; and

(2) Seven (7) members for a term of two (2) years.

The state health commissioner shall designate the term of office of each individual initially appointed to the commission.

(b) This SECTION expires June 30, 2005.

SECTION 6. [EFFECTIVE JULY 1, 2004] (a) As used in this SECTION, "commission" refers to the commission on health care interpreters and translators established by IC 16-46-11.1-4, as added by this act.

(b) Not later than November 1, 2004, the commission shall report the commission's findings and recommendations determined under IC 16-46-11.1-6, as added by this act, to the health finance commission established by IC 2-5-23-3.

(c) This SECTION expires December 31, 2005.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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