



March 13, 2007

**ENGROSSED
SENATE BILL No. 450**

DIGEST OF SB 450 (Updated March 7, 2007 6:55 pm - DI 77)

Citations Affected: IC 12-23; noncode.

Synopsis: Opioid treatment program moratorium and report. Places a moratorium on new opioid treatment programs until December 31, 2008. Requires the division of mental health and addiction to: (1) compare other state regulations of methadone clinics with Indiana regulations; (2) address concerns that have been raised concerning Indiana's regulation of methadone clinics; and (3) prepare a report to be submitted to the health finance commission and the general assembly; before July 1, 2007. Requires the director of the division of mental health and addiction to testify before the health finance commission, and requires the health finance commission to study the adequacy of Indiana's methadone clinic regulations during the 2007 interim. Repeals a provision that allows new methadone providers under certain circumstances.

Effective: Upon passage; July 1, 2007.

Sipes, Miller

(HOUSE SPONSORS — STEMLER, BROWN T)

January 11, 2007, read first time and referred to Committee on Health and Provider Services.

February 1, 2007, amended, reported favorably — Do Pass.
February 12, 2007, read second time, amended, ordered engrossed.
February 13, 2007, engrossed.
February 19, 2007, returned to second reading.
February 20, 2007, reread second time, amended, ordered engrossed.
February 21, 2007, engrossed.
February 22, 2007, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 27, 2007, read first time and referred to Committee on Public Health.
March 12, 2007, amended, reported — Do Pass.

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ES 450—LS 7464/DI 104+



March 13, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 450

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 12-23-18-5.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2007]: **Sec. 5.5. (a) The division may not**
4 **grant specific approval to be a new opioid treatment program. This**
5 **section does not apply to applications for new opioid treatment**
6 **programs pending prior to March 1, 2007.**

7 **(b) This section expires December 31, 2008.**
8 SECTION 2. P.L.25-2006, SECTION 1, IS REPEALED
9 [EFFECTIVE JULY 1, 2007].

10 SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
11 **SECTION, "division" refers to the division of mental health and**
12 **addiction established by IC 12-21-1-1.**

13 **(b) Before July 1, 2007, the division shall do the following:**
14 **(1) Compare other state regulation of methadone clinics with**
15 **Indiana's regulation of methadone clinics.**
16 **(2) Review and address concerns regarding Indiana's**
17 **regulation of methadone clinics that have been raised in**

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1 public meetings and by community advocates.
2 (3) Prepare a report detailing the division's findings and
3 actions concerning subdivisions (1) and (2) and submit the
4 report:
5 (A) to the health finance commission established by
6 IC 2-5-23-3; and
7 (B) to the general assembly in electronic format under
8 IC 5-14-6.
9 (c) The director of the division shall testify to the health finance
10 commission upon the commission's request during the 2007 interim
11 of the general assembly concerning the adequacy of Indiana's
12 regulation of methadone clinics and the contents of the report
13 required in subsection (b).
14 (d) The health finance commission shall study the adequacy of
15 Indiana's regulation of methadone clinics during the 2007 interim.
16 (e) This SECTION expires December 31, 2007.
17 SECTION 4. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 450, 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:

Delete the title and insert the following:

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

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-23-18-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 5.5. The division may not grant specific approval to be a new provider of any of the following:**

- (1) Methadone.
- (2) Levo-alpha-acetylmethadol.
- (3) Levo-alpha-acetylmethadol.
- (4) Levomethadyl acetate.
- (5) LAAM.
- (6) Buprenorphine.

SECTION 2. P.L.25-2006, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2007]."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 450 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

SENATE MOTION

Madam President: I move that Senator Miller be added as second author of Senate Bill 450.

SIPES

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SENATE MOTION

Madam President: I move that Senate Bill 450 be amended to read as follows:

Page 1, line 4, delete "any of the following:".

Page 1, line 5, delete "(1)".

Page 1, delete lines 6 through 10.

(Reference is to SB 450 as printed February 2, 2007.)

SIPES

SENATE MOTION

Madam President: I move that Senate Bill 450, which is eligible for third reading, be returned to second reading for purposes of amendment.

SIPES

SENATE MOTION

Madam President: I move that Senate Bill 450 be amended to read as follows:

Page 1, line 4, delete "provider of Methadone." and insert "**opioid treatment program. This section does not apply to applications for new opioid treatment programs pending prior to March 1, 2007.**".

(Reference is to SB 450 as reprinted February 13, 2007.)

SIPES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 450, 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 1, line 3, after "5.5." insert "**(a)**".



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Page 1, between lines 6 and 7, begin a new paragraph and insert:
"(b) This section expires December 31, 2008."

and when so amended that said bill do pass.

(Reference is to SB 450 as reprinted February 21, 2007.)

BROWN C, Chair

Committee Vote: yeas 7, nays 4.

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