



Reprinted  
January 29, 2008

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## SENATE BILL No. 315

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DIGEST OF SB 315 (Updated January 28, 2008 7:06 pm - DI 84)

**Citations Affected:** IC 12-10.

**Synopsis:** Long term care. Requires rules to be adopted to: (1) implement a screening and counseling program for individuals seeking long term care services; and (2) implement a process of prior approval for certain individuals seeking admission to a nursing facility.

**Effective:** July 1, 2008.

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### Dillon, Hume, Mrvan, Deig

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January 10, 2008, read first time and referred to Committee on Health and Provider Services.  
January 17, 2008, reported favorably — Do Pass; reassigned to Committee on Appropriations.  
January 24, 2008, amended, reported favorably — Do Pass.  
January 28, 2008, read second time, amended, ordered engrossed.

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January 29, 2008

Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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## SENATE BILL No. 315

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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 12-10-12-6, AS AMENDED BY P.L.50-2007,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2008]: Sec. 6. (a) This subsection does not apply after ~~June~~  
4 ~~30, 2008.~~ **December 30, 2008.** If an individual who is discharged from  
5 a hospital licensed under IC 16-21:  
6 (1) is admitted to a nursing facility after the individual has been  
7 screened under the nursing facility preadmission program  
8 described in this chapter; and  
9 (2) is eligible for participation in the federal Medicaid program;  
10 prior approval of the individual's admission to the nursing facility may  
11 not be required by the office under IC 12-15-21-1 through  
12 IC 12-15-21-3.  
13 (b) This subsection applies beginning ~~July 1, 2008.~~ **December 31,**  
14 **2008.** If an individual:  
15 (1) is admitted to a nursing facility after the individual has been  
16 screened under the nursing facility preadmission program  
17 described in this chapter; and

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1 (2) is eligible for participation in the federal Medicaid program;  
2 prior approval of the individual's admission to the nursing facility may  
3 be required by the office under IC 12-15-21-1 through IC 12-15-21-3.

4 (c) The office ~~may~~ **shall** adopt rules under IC 4-22-2 to implement:

5 (1) subsection (b); **and**

6 (2) **a screening and counseling program for individuals**  
7 **seeking long term care services.**

8 ~~However, the adopted rules may not take effect before July 1, 2008.~~

9 SECTION 2. IC 12-10-12-16 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 16. (a) A screening  
11 team shall conduct a nursing facility preadmission screening program  
12 for each individual within the time permitted under this chapter. The  
13 program must consist of an assessment of the following:

14 (1) The individual's medical needs.

15 (2) The availability of services, other than services provided in a  
16 nursing facility, that are appropriate to the individual's needs.

17 (3) The cost effectiveness of providing services appropriate to the  
18 individual's needs that are provided outside of, rather than within,  
19 a nursing facility.

20 (b) The assessment must be conducted in accordance with rules  
21 adopted under IC 4-22-2 by the director of the division in cooperation  
22 with the office.

23 (c) Communication among members of a screening team or between  
24 a screening team and the **division**, the office, **or the agency** during the  
25 prescreening process may be conducted ~~using~~ **by means including** any  
26 of the following:

27 (1) Standard mail.

28 (2) Express mail.

29 (3) Facsimile machine.

30 (4) **Secured electronic communication.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 315, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is made to Senate Bill 315 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

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SENATE MOTION

Madam President: I move that Senators Hume, Mrvan and Deig be added as coauthors of Senate Bill 315.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 315, 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 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 5.

Page 3, line 8, reset in roman "(a) This subsection does not apply after".

Page 3, line 9, after "2008." insert "**December 30, 2008.**".

Page 3, line 11, reset in roman "nursing".

Page 3, line 11, delete "health".

Page 3, line 12, reset in roman "nursing facility preadmission".

Page 3, line 12, delete "long term".

Page 3, line 13, delete "care screening and counseling".

Page 3, line 16, reset in roman "nursing".

Page 3, line 16, delete "health".

Page 3, line 19, reset in roman "(b) This subsection applies beginning".

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Page 3, line 19, after "2008." insert "**December 31, 2008.**".

Page 3, line 19, reset in roman "If an individual:".

Page 3, reset in roman lines 20 through 25.

Page 3, line 26, reset in roman "(c) The office".

Page 3, line 26, after "may" insert "**shall**".

Page 3, line 26, reset in roman "adopt rules under IC 4-22-2 to implement".

Page 3, line 26, after "implement" insert ":

**(1)**".

Page 3, line 27, reset in roman "subsection (b)".

Page 3, line 27, after "(b)" delete "." and insert "; **and**

**(2) a screening and counseling program for individuals seeking long term care services.**".

Page 3, delete lines 29 through 42.

Delete page 4.

Page 5, delete lines 1 through 32.

Page 5, line 34, delete "and".

Page 5, line 35, delete "counseling".

Page 5, line 35, reset in roman "a nursing facility preadmission".

Page 5, line 36, reset in roman "screening".

Page 5, line 36, delete "the long term care screening and counseling".

Page 5, line 37, reset in roman "The".

Page 5, reset in roman lines 38 through 42.

Page 6, reset in roman lines 1 through 2.

Page 6, line 6, delete "and counseling".

Page 6, line 7, delete "and counseling".

Page 6, line 7, delete "division, or" and insert "**division or**".

Page 6, line 8, delete ", or the agency".

Page 6, line 8, reset in roman "prescreening".

Page 6, delete lines 14 through 42.

Delete pages 7 through 11.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 315 as introduced.)

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MEEKS, Chairperson

Committee Vote: Yeas 11, Nays 0.



SENATE MOTION

Madam President: I move that Senate Bill 315 be amended to read as follows:

Page 2, line 24, delete "or" and insert ",".

Page 2, line 24, after "office" insert ", **or the agency**".

Page 2, line 25, after "conducted" strike "using" and insert "**by means including**".

(Reference is to SB 315 as printed January 25, 2008.)

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