March 27, 2009

ENGROSSED
HOUSE BILL No. 1210

DIGEST OF HB 1210 (Updated February 17, 2009 3:09 pm - DI 84)

Citations Affected: IC 21-44.

Synopsis: Psychiatry development programs. Creates the mental health services development programs to provide incentives to attract psychiatrists, psychologists, psychiatric nurses, and public sector psychiatrists to practice in Indiana. Creates the mental health services development programs board (board) to administer the programs. Creates the mental health services loan forgiveness account and the public sector psychiatry development program account within the state general fund to provide funding for the programs. Requires the board to develop a public sector psychiatry residency tracking program. (The introduced version of this bill was prepared by the commission on mental health.)

Effective: July 1, 2009.

Brown C, Brown T

(SENATE SPONSORS — LAWSON C, SIMPSON)

January 12, 2009, read first time and referred to Committee on Public Health.
February 2, 2009, amended, reported — Do Pass.
February 12, 2009, read second time, amended, ordered engrossed.
February 13, 2009, engrossed.
February 17, 2009, read third time, passed. Yeas 92, nays 3. Title amended. Engrossed.
February 18, 2009, re-engrossed.

SENATE ACTION

February 23, 2009, read first time and referred to Committee on Health and Provider Services.
March 26, 2009, amended, reported favorably — Do Pass. Pursuant to Senate Rule 33(c), Technical Correction adopted. Engrossed.

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March 27, 2009

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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ENGROSSED
HOUSE BILL No. 1210

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

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

SECTION 1. IC 21-44-1-3, AS ADDED BY P.L.2-2007, SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. **(a)** "Board", **for purposes of IC 21-44-5,** refers to the medical education board established by IC 21-44-5-1.

(b) "Board", for purposes of IC 21-44-6, refers to the mental health services development programs board established by IC 21-44-6-1.

SECTION 2. IC 21-44-1-12, AS ADDED BY P.L.2-2007, SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. "Intern, residency, and graduate program", for purposes of IC 21-44-5, refers to an intern, residency, and graduate program for which the **medical education** board establishes policies under IC 21-44-5.

SECTION 3. IC 21-44-1-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 15. "Public sector psychiatry" refers to the practice of psychiatry in:**

(1) state institutions;

(2) community mental health centers; and

(3) other settings determined by the board to be public sector psychiatry settings.

SECTION 4. IC 21-44-1-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 16. "Training track program", for purposes of IC 21-44-6, refers to the program for individuals in the public sector psychiatry development program.**

SECTION 5. IC 21-44-6 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 6. Mental Health Services Development Programs

Sec. 1. There is established the mental health services development programs board.

Sec. 2. The board consists of the following members:

(1) The dean of the Indiana University School of Medicine or the dean's designee. The dean of the Indiana University School of Medicine or the dean's designee shall serve as the chairperson of the board.

(2) The chairperson of the department of psychiatry of the Indiana University School of Medicine or the chairperson's designee.

(3) The director of the division of mental health and addiction created by IC 12-21-1-1 or the director's designee.

(4) The commissioner of the state department of health or the commissioner's designee.

(5) The administrator of a graduate program in an institution of higher education in Indiana engaged in training psychologists.

(6) The administrator of a program in an institution of higher education in Indiana engaged in training advanced practice psychiatric nurses.

(7) One (1) psychiatrist who practices psychiatry in Indiana. The governor shall appoint the members of the board described in subdivisions (5) through (7).

Sec. 3. The board shall meet initially at the call of the governor. After the initial meeting, the board shall meet at least twice each year at the call of the chairperson.

Sec. 4. (a) Each board member who is not a state employee is not entitled to a salary per diem. The member is, however, entitled to reimbursement for traveling expenses as provided under

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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.

(b) Each member of the board 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.

(c) Except as provided in subsection (d), the affirmative votes of a majority of the members appointed to the board are required for the board to take action on any measure.

(d) The affirmative votes of a majority of the members appointed to the board are required for the board to take any action concerning the public sector psychiatry development program or the training track program.

Sec. 5. The purpose of the board is to do the following:

(1) To establish and oversee a loan forgiveness program designed to attract:

(A) psychiatrists;

(B) psychologists; and

(C) psychiatric nurses;

to provide services to individuals with mental illness in public psychiatry settings in Indiana by assisting the individuals listed in this section to pay off loans incurred in the training needed to practice psychiatry and psychology and as a psychiatric nurse in Indiana.

(2) To establish and oversee a public sector psychiatry development program to attract and train psychiatrists who will engage in the practice of psychiatry in:

(A) state mental health institutions;

(B) community mental health centers; and

(C) other settings determined by the board to be public sector settings.

(3) To develop and oversee a public sector psychiatry residency training track program through the Indiana University School of Medicine, Department of Psychiatry residency training program. The training track program must provide an opportunity for psychiatry residents to work in public sector psychiatry settings, including:

(A) state psychiatric hospitals;

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(B) community mental health centers; and

(C) other settings determined to be public sector settings by the board.

(4) To develop standards for participation in the training track program that include:

(A) guidelines for the amounts of grants and other assistance a participant receives;

(B) guidelines for the type of training in public sector psychiatry the participant receives;

(C) guidelines for agreements with mental health hospitals, community mental health centers, and other entities participating in the training track program; and

(D) other guidelines and standards necessary for governing the training track program.

Sec. 6. The board shall establish guidelines for the repayment of the loans incurred by a psychiatrist, psychologist, or psychiatric nurse, including the following:

(1) A participant may not receive more than twenty-five thousand dollars ($25,000) in a year.

(2) A participant may not receive grants for more than four (4) years.

(3) A participant must commit to a full year of service in a public psychiatry setting for each year of loan repayment.

(4) A participant must be a practitioner who:

(A) is:

(i) from Indiana; and

(ii) establishing a new practice in Indiana; or

(B) is:

(i) from outside Indiana;

(ii) not currently practicing in Indiana and has not practiced in Indiana for three (3) years before applying for the program; and

(iii) establishing a new practice in Indiana.

Sec. 7. (a) As used in this section, "account" refers to the mental health services loan forgiveness account established in subsection (b).

(b) The mental health services loan forgiveness account within the state general fund is established for the purpose of providing grants for loan repayment under this chapter. The account shall be administered by the board. Money in the account shall be used to fund loan forgiveness grants under this chapter.

(c) The account consists of:

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(1) appropriations made by the general assembly;
(2) grants; and
(3) gifts and bequests.

(d) The expenses of administering the account shall be paid from money in the account.

(e) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(f) Money in the account at the end of a state fiscal year does not revert to the state general fund.

Sec. 8. (a) As used in this section, "account" refers to the public sector psychiatry development program account established in subsection (b).

(b) The public sector psychiatry development program account within the state general fund is established for the purpose of providing funding for the public sector psychiatry development program established under this chapter. The account shall be administered by the board. Money in the account shall be used to fund psychiatric residency positions, including:

(1) educational expenses;
(2) grants and scholarships;
(3) salaries; and
(4) benefits.

(c) The account consists of:

(1) appropriations made by the general assembly;
(2) grants; and
(3) gifts and bequests.

(d) The expenses of administering the account shall be paid from money in the account.

(e) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(f) Money in the account at the end of a state fiscal year does not revert to the state general fund.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1210, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Page 3, line 4, after "illness in" insert "**public psychiatry settings in**".

Page 3, line 15, delete "The loan repayment grants must be used to attract" and insert "**A participant must commit to a full year of service in a public psychiatry setting for each year of loan repayment.**".

Page 3, delete line 16.

Page 4, delete lines 3 through 13.

and when so amended that said bill do pass.

(Reference is to HB 1210 as introduced.)

BROWN C, Chair

Committee Vote: yeas 8, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1210 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning higher education and to make an appropriation.

Page 1, delete lines 1 through 5.

Page 1, line 11, delete "loan forgiveness" and insert "**development programs**".

Page 1, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 2. IC 21-44-1-12, AS ADDED BY P.L.2-2007, SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. "Intern, residency, and graduate program", for purposes of IC 21-44-5, refers to an intern, residency, and graduate program for which the **medical education** board establishes policies under IC 21-44-5.

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SECTION 3. IC 21-44-1-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 15. "Public sector psychiatry" refers to the practice of psychiatry in:**

(1) state institutions;

(2) community mental health centers; and

(3) other settings determined by the board to be public sector psychiatry settings.

SECTION 4. IC 21-44-1-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 16. "Training track program", for purposes of IC 21-44-6, refers to the program for individuals in the public sector psychiatry development program.**".

Page 1, line 15, delete "Loan Forgiveness Program" and insert "**Development Programs**".

Page 1, line 16, delete "the mental health services loan".

Page 1, line 17, delete "forgiveness program to be administered by".

Page 2, line 1, delete "loan forgiveness" and insert "**development programs**".

Page 2, line 1, delete "The purpose of the program is to".

Page 2, delete lines 2 through 3.

Page 2, between lines 21 and 22, begin a new line block indented and insert:

"**(7) One (1) psychiatrist who practices psychiatry in Indiana.**".

Page 2, line 38, after "(c)" delete "The" and insert "**Except as provided in subsection (d), the**".

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"**(d) The affirmative votes of a majority of the members appointed to the board, including the unanimous votes of the members under section 2(1), 2(2), 2(3), and 2(7) of this chapter who are present, are required for the board to take any action concerning the public sector psychiatry development program or the training track program.**".

Page 2, line 41, delete "develop and oversee" and insert "**do the following:**

(1) To establish and oversee".

Page 3, line 1, delete "(1)", begin a new line double block indented and insert:

"**(A)**".

Page 3, line 2, delete "(2)", begin a new line double block indented and insert:

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"**(B)**".

Page 3, line 3, delete "(3)", begin a new line double block indented and insert:

"**(C)**".

Page 3, between lines 8 and 9, begin a new line block indented and insert:

"**(2) To establish and oversee a public sector psychiatry development program to attract and train psychiatrists who will engage in the practice of psychiatry in:**

(A) state mental health institutions;

(B) community mental health centers; and

(C) other settings determined by the board to be public sector settings.

(3) To develop and oversee a public sector psychiatry residency training track program through the Indiana University School of Medicine, Department of Psychiatry residency training program. The training track program must provide an opportunity for psychiatry residents to work in public sector psychiatry settings, including:

(A) state psychiatric hospitals;

(B) community mental health centers; and

(C) other settings determined to be public sector settings by the board.

(4) To develop standards for participation in the training track program that include:

(A) guidelines for the amounts of grants and other assistance a participant receives;

(B) guidelines for the type of training in public sector psychiatry the participant receives;

(C) guidelines for agreements with mental health hospitals, community mental health centers, and other entities participating in the training track program; and

(D) other guidelines and standards necessary for governing the training track program.".

Page 3, line 28, after "(a)" insert "**As used in this section, "account" refers to the mental health services loan forgiveness account established in subsection (b).**

(b)".

Page 3, line 33, delete "(b)" and insert "**(c)**".

Page 3, line 37, delete "(c)" and insert "**(d)**".

Page 3, line 39, delete "(d)" and insert "**(e)**".

Page 4, line 1, delete "(e)" and insert "**(f)**".

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Page 4, line 3, delete "(f)" and insert "**(g)**".

Page 4, after line 3, begin a new paragraph and insert:

"**Sec. 8. (a) As used in this section, "account" refers to the public sector psychiatry development program account established in subsection (b).**

(b) The public sector psychiatry development program account within the state general fund is established for the purpose of providing funding for the public sector psychiatry development program established under this chapter. The account shall be administered by the board. Money in the account shall be used to fund psychiatric residency positions, including:

(1) educational expenses;

(2) grants and scholarships;

(3) salaries; and

(4) benefits.

(c) The account consists of:

(1) appropriations made by the general assembly;

(2) grants; and

(3) gifts and bequests.

(d) The expenses of administering the account shall be paid from money in the account.

(e) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(f) Money in the account at the end of a state fiscal year does not revert to the state general fund.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1210 as printed February 3, 2009.)

BROWN T

HOUSE MOTION

Mr. Speaker: I move that the title of House Bill 1210 be amended as follows:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

BROWN C

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1210, 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 higher education.

Page 2, between lines 33 and 34, begin a new line blocked left and insert "**The governor shall appoint the members of the board described in subdivisions (5) through (7).**".

Page 3, line 4, delete "expanses" and insert "**expenses**".

Page 3, line 13, delete "board, including the unanimous votes of the" and insert "**board**".

Page 3, delete line 14.

Page 3, line 15, delete "are present,".

Page 3, run in lines 13 through 15.

Page 3, block indent lines 24 through 28.

Page 4, line 18, delete "that" and insert "**than**".

Page 5, delete line 12.

and when so amended that said bill do pass.

(Reference is to HB 1210 as reprinted February 18, 2009.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed House Bill 1210.

Page 2, between lines 34 and 35, begin a new line blocked left and insert: "**The governor shall appoint the members of the board described in subdivisions (5) through (7).**".

LONG, Chairperson

(Reference is to EHB 1210 as reprinted February 18, 2009.)

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