



Reprinted
January 26, 2010

HOUSE BILL No. 1003

DIGEST OF HB 1003 (Updated January 25, 2010 5:59 pm - DI 104)

Citations Affected: IC 2-5; IC 3-7; IC 12-7; IC 12-13.

Synopsis: Public assistance matters and voting registration. Establishes the committee on the administration of public assistance (committee) and specifies the committee's responsibilities. Sets forth requirements for a system for making eligibility determinations for public assistance services. Requires the office of the secretary of family and social services (office) to establish an independent monitoring system to evaluate the quality of the eligibility determinations for public assistance services and sets forth requirements for the monitoring system. Requires the office to attempt to resolve any issues with an application for public assistance in the office's initial contact with the applicant. Requires the office to post specified material on the office's website. Specifies actions to be taken by the office if an unfavorable evaluation is received or if a majority of the committee votes to terminate a contract for eligibility determinations for public assistance services. Requires a public assistance office to provide voter registration assistance to each individual who in person, by telephone, or by electronic means applies for service or assistance, applies for recertification or renewal of services or assistance, or submits a change of address form. Requires that voter registration forms allow, but not require, an individual completing the form to provide an electronic mail address.

Effective: Upon passage; July 1, 2010.

Riecken, Tyler

November 17, 2009, read first time and referred to Committee on Ways and Means.
January 5, 2010, amended, reported — Do Pass.
January 25, 2010, read second time, amended, ordered engrossed.

HB 1003—LS 6192/DI 104+



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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1003

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 2-5-31 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 31. Committee on the Administration of Public**
5 **Assistance**

6 **Sec. 1. As used in this chapter, "committee" refers to the**
7 **committee on the administration of public assistance established by**
8 **section 3 of this chapter.**

9 **Sec. 2. As used in this chapter, "public assistance" refers to the**
10 **following:**

11 **(1) The federal Supplemental Nutrition Assistance Program**
12 **(SNAP).**

13 **(2) The Temporary Assistance for Needy Families (TANF)**
14 **program.**

15 **(3) The Medicaid program.**

16 **Sec. 3. The committee on the administration of public assistance**
17 **is established.**

HB 1003—LS 6192/DI 104+



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Sec. 4. (a) The committee consists of the following members:

- (1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives, not more than two (2) of whom may be from the same political party.**
- (2) Four (4) members of the senate appointed by the president pro tempore of the senate, not more than two (2) of whom may be from the same political party.**
- (3) One (1) representative of a labor organization that represents state employees, appointed by the speaker of the house of representatives.**
- (4) One (1) representative of a statewide organization that represents consumers of human services, appointed by the president pro tempore of the senate.**

(b) If a vacancy on the committee occurs, the person who appointed the member whose position is vacant shall appoint an individual to fill the vacancy using the criteria set forth in subsection (a).

(c) In 2010, the speaker of the house of representatives shall appoint one (1) of the legislative members appointed by the speaker as the chairperson of the committee for a two (2) year period. In 2012, the president pro tempore of the senate shall appoint one (1) of the legislative members appointed by the president pro tempore as the chairperson of the committee for a two (2) year period. Subsequently, the speaker of the house of representatives and the president pro tempore of the senate shall alternate appointing the chairperson every two (2) years.

Sec. 5. The committee shall do the following:

- (1) Review the administration of public assistance in Indiana, including the process of making eligibility determinations.**
- (2) Take public testimony on problems or concerns concerning the administration of public assistance in Indiana.**
- (3) Receive:**
 - (A) testimony;**
 - (B) responses to committee questions; and**
 - (C) updates;****concerning changes in the public assistance eligibility process in Indiana from the office of the secretary of family and social services, or the director of the division of family resources if the secretary is unavailable, or a contractor for the office of the secretary.**
- (4) Make recommendations concerning any changes that the**

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committee considers necessary concerning the public assistance process in Indiana.

(5) Make a determination described in IC 12-13-5-3.5(b) concerning whether an unfavorable evaluation has occurred within a time determined by the committee.

Sec. 6. Six (6) committee members constitute a quorum. The affirmative votes of at least six (6) committee members are necessary for the committee to take official action.

Sec. 7. The legislative services agency shall provide administrative support for the committee.

Sec. 8. (a) The committee shall meet at the call of the chairperson. Beginning April 1, 2010, the committee shall meet at least one (1) time every sixty (60) days.

(b) Except as provided in subsection (c) and section 9 of this chapter, the committee shall operate under the policies governing study committees adopted by the legislative council. The committee shall file an annual report with the legislative council in an electronic format under IC 5-14-6 if official action is taken by the committee.

(c) Beginning April 1, 2010, the committee may meet at any time during the calendar year.

Sec. 9. A member of the committee is not entitled to salary per diem, travel reimbursement, or other expenses incurred in connection with the member's duties on the committee.

Sec. 10. The secretary of family and social services, or the director of the division of family resources if the secretary is unavailable, shall make an oral and written presentation at each committee meeting concerning the administration of public assistance in Indiana. The office of the secretary shall respond to any question concerning the administration of public assistance that is provided to the office of secretary by the chairperson before a scheduled committee meeting.

SECTION 2. IC 3-7-15-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. (a) As provided in 42 U.S.C. 1973gg-5(a)(4)(A)(i) and 42 U.S.C. 1973gg-5(a)(6)(A), an office listed in section 2 of this chapter shall **do the following**:

- (1) Distribute a voter registration form prescribed under section 4 of this chapter to each applicant for public assistance whenever the applicant:
 - (~~1~~) (A) applies for service or assistance;
 - (~~2~~) (B) applies for recertification or renewal of services or assistance; or

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- 1 (3) (C) submits a change of address form relating to the
- 2 service or assistance.
- 3 **(2) Assist the applicant in completing the voter registration**
- 4 **form as required by 42 U.S.C. 1973gg-5(a)(4)(A)(ii).**
- 5 **(3) Review the completed voter registration form as required**
- 6 **in section 9 of this chapter.**
- 7 **(4) Accept the completed voter registration form from the**
- 8 **applicant.**
- 9 **(5) Transmit the completed voter registration form to the**
- 10 **appropriate county voter registration office as required by 42**
- 11 **U.S.C. 1973gg-5(d) and section 16 of this chapter.**

12 (b) Unless the applicant declines in writing to register to vote, the

13 **requirements of subsection (a) apply whenever an applicant in**

14 **person, by telephone, or by electronic means takes any of the**

15 **actions described in subsection (a)(1).**

16 SECTION 3. IC 3-7-15-8 IS AMENDED TO READ AS FOLLOWS

17 [EFFECTIVE JULY 1, 2010]: Sec. 8. (a) To register under this chapter,

18 an individual must do the following: ~~while on the premises of the~~

19 ~~office:~~

- 20 (1) Complete the voter registration application prescribed under
- 21 section 4 of this chapter.
- 22 (2) Present the application to an employee, **subcontractor, or**
- 23 **independent contractor** of the office.

24 **(b) If an individual contacts an office by telephone or electronic**

25 **means, the office shall assist the individual in completing a voter**

26 **registration form in either of the following ways:**

- 27 (1) If the individual possesses:
 - 28 (A) a current and valid Indiana driver's license issued
 - 29 under IC 9-24; or
 - 30 (B) an Indiana identification card for nondrivers issued
 - 31 under IC 9-24-16;
- 32 an employee, subcontractor, or independent contractor of the
- 33 office shall serve as a surrogate for the individual in
- 34 completing and submitting online a voter registration
- 35 application as provided in IC 3-7-26.7.
- 36 (2) If the individual does not possess:
 - 37 (A) a current and valid Indiana driver's license issued
 - 38 under IC 9-24; or
 - 39 (B) an Indiana identification card for nondrivers issued
 - 40 under IC 9-24-16;

41 the office shall send the individual a voter registration form

42 prescribed under section 4 of this chapter and a return

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- 1 envelope addressed to the office, postage prepaid.
- 2 (c) Whenever an office assists an individual as described in
- 3 subsection (b)(2), the office shall:
- 4 (1) review as required by section 9 of this chapter the
- 5 completed voter registration form returned by the individual;
- 6 and
- 7 (2) transmit the completed voter registration form to the
- 8 appropriate county voter registration office as required by
- 9 section 16 of this chapter.

10 SECTION 4. IC 3-7-15-9 IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2010]: Sec. 9. An employee, **subcontractor, or**
 12 **independent contractor** of the office who provides an individual with
 13 an application for assistance or services under section 3 of this chapter
 14 shall do the following:

- 15 (1) Inform each individual who applies for assistance or services
- 16 that the information the individual provides on the individual's
- 17 voter registration application will be used to register the
- 18 individual to vote unless:
 - 19 (A) the individual is not eligible to vote; or
 - 20 (B) the individual:
 - 21 (i) declines to register to vote;
 - 22 (ii) fails to complete the voter registration part of the
 - 23 application; or
 - 24 (iii) answers "no" to either question described by
 - 25 IC 3-7-22-5(3) or IC 3-7-22-5(4).
- 26 (2) Provide each individual who indicates a desire to register or
- 27 transfer registration with assistance in filling out the voter
- 28 registration application unless the individual refuses assistance,
- 29 as provided in 42 U.S.C. 1973gg-5(a)(4)(ii).
- 30 (3) Check the completed voter registration form for legibility and
- 31 completeness.
- 32 (4) Deliver the completed registration form to the office
- 33 administrator (or the employee designated by the administrator to
- 34 be responsible for voter registration services) for transmittal to the
- 35 appropriate county voter registration office.
- 36 (5) Inform the individual that the individual will receive a mailing
- 37 from the county voter registration office of the county where the
- 38 individual resides concerning the disposition of the voter
- 39 registration application.

40 SECTION 5. IC 3-7-15-10 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10. If an individual is
 42 registering to vote after the twenty-ninth day before the date that a

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1 primary, general, municipal, or special election is scheduled in the
2 precinct where the voter resides, the employee, **subcontractor, or**
3 **independent contractor** of the office who provides an individual with
4 an application for assistance or services under section 3 of this chapter
5 shall do the following:

6 (1) Inform the individual that office registration will not permit
7 the individual to vote in the next election.

8 (2) Inform the individual of other procedures the individual may
9 follow to vote in the next election.

10 SECTION 6. IC 3-7-15-11 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 11. As provided in 42
12 U.S.C. 1973gg-5(a)(5), an employee, **subcontractor, or independent**
13 **contractor** of the office shall not do any of the following:

14 (1) Seek to influence an applicant's political preference or party
15 registration.

16 (2) Display any political preference or party allegiance, including
17 any pictures, photographs, or other likenesses of any currently
18 elected federal, state, county, or local official.

19 (3) Make any statement to an applicant or take any action the
20 purpose or effect of which is to discourage the applicant from
21 registering to vote.

22 (4) Make any statement to an applicant or take any action whose
23 purpose or effect is to lead the applicant to believe that a decision
24 whether or not to register has any bearing on the availability of
25 services or benefits.

26 SECTION 7. IC 3-7-26.7-2, AS ADDED BY P.L.120-2009,
27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2010]: Sec. 2. As used in this chapter, "applicant" means an
29 individual who submits an application as provided in this chapter. **The**
30 **term includes an individual who submits an application using a**
31 **surrogate as provided in section 4 of this chapter.**

32 SECTION 8. IC 3-7-26.7-4, AS ADDED BY P.L.120-2009,
33 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2010]: Sec. 4. After June 30, 2010, an individual described in
35 section 1 of this chapter may submit a voter registration application to
36 a county voter registration office using:

37 (1) the procedures set forth in this chapter; or

38 (2) **whenever the individual applies for public assistance**
39 **under IC 3-7-15 by telephone or electronic means, a**
40 **surrogate.**

41 SECTION 9. IC 3-7-31-5 IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2010]: Sec. 5. The registration forms prescribed

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under section 1 of this chapter must:

- (1) provide for the residence address and the mailing address of the individual completing the forms;
- (2) contain a statement that a notice of disposition of the person's registration application will be mailed to the mailing address of the individual; ~~and~~
- (3) require the applicant to provide the applicant's voter identification number; **and**
- (4) allow, but not require, the individual completing the forms to provide an electronic mail address.**

SECTION 10. IC 12-7-2-75.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 75.7. "Eligibility determination for services", for purposes of IC 12-13-5-3.5, refers to a decision regarding whether an individual is eligible for any of the following programs:**

- (1) The federal Supplemental Nutrition Assistance program (SNAP).**
- (2) The Temporary Assistance for Needy Families (TANF) program.**
- (3) The Medicaid program.**

SECTION 11. IC 12-7-2-195.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 195.5. "Unfavorable evaluation", for purposes of IC 12-13-5-3.5, has the meaning set forth in IC 12-13-5-3.5(b).**

SECTION 12. IC 12-13-5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. (a) As used in this section, "eligibility determination for services" refers to a decision regarding whether an individual is eligible for any of the following programs:**

- (1) Federal Supplemental Nutrition Assistance Program (SNAP).**
- (2) Temporary Assistance for Needy Families (TANF).**
- (3) Medicaid.**

However, eligibility determinations for services do not include contracts substantially related to information technology for support services.

(b) As used in this section, "unfavorable evaluation" means a number of failed evaluations occurring over a time determined by a majority vote of the committee on the administration of public

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assistance established by IC 2-5-31.

(c) The office of the secretary shall include the following in the office's system for making an eligibility determination for services:

(1) The following methods by which an individual may apply for services:

(A) In person.

(B) By telephone.

(C) By completing an application over the Internet.

(2) An application for services or an application for renewal of services that is assigned to one (1) employee who collects all the information necessary for the application before sending the application to an employee with the authority to make an eligibility determination.

(3) The goal that all issues during the eligibility determination for services are resolved accurately, quickly, and on the first contact with the applicant.

(4) A review of the primary reasons individuals do not complete the eligibility determination for services process, including any barriers that are the result of state policy or procedures.

(5) The inclusion of improvements to the system as a result of any findings in the review required under subdivision (4).

(d) Before July 1, 2010, the office of the secretary shall establish a monitoring system to be administered as an independent entity by a person other than the office of the secretary for the purpose of evaluating the quality of the eligibility determination for services process and subsequent contact with the office by recipients of services described in subsection (a).

(e) The monitoring system must do the following:

(1) Evaluate every point of contact an individual has from the initial application for services described in subsection (a) to the final determination by the office and any appeal by the individual of the determination.

(2) Track the place in the eligibility determination for services process, including intake, verification, determination, and renewal of an application for services, in which an individual stops participating in the process.

(3) Determine the primary causes for why individuals do not complete the process, including barriers that are a result of state policy or procedures.

(4) Review a monthly written accounting of the operational expenditures spent on eligibility determinations for services

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- described in subsection (a).
- (f) The office of the secretary shall use the monitoring system to analyze the eligibility determination for services process and determine places for improvement of the process.
- (g) The office of the secretary and a contractor of the office of the secretary concerning eligibility determinations for services shall cooperate with a person administering the monitoring system and shall provide the person with any information or data requested in an expeditious manner.
- (h) The office of the secretary shall attempt to resolve an issue of an applicant for, or a recipient of, services described in subsection (a) at the office's initial contact with the individual by using employees with decision making authority in the initial contact with applicants and recipients.
- (i) The office of the secretary shall make the following information available on the office of the secretary's web site:
 - (1) A report and any other documents prepared by a person that has contracted with the state to review work performed under a contract for eligibility determinations for services, to be posted not later than thirty (30) days after the office of the secretary has received the report.
 - (2) Any contract, including the assignment of a contract and an amendment to a contract, that the office of the secretary has entered into for eligibility determinations for services, to be posted not later than thirty (30) days after the effective date of the contract, assignment, or amendment.
 - (3) Any change order or change in reimbursement or reimbursement schedules related to a contract for eligibility determinations for services, to be posted not later than thirty (30) days after the effective date of the change.
- (j) The office of the secretary shall do everything contractually allowable to terminate a contract and may not enter into or renew a contract for eligibility determinations for services if either of the following occurs:
 - (1) An unfavorable evaluation is received.
 - (2) A majority vote by the committee on the administration of public assistance established by IC 2-5-31 to terminate the contract.
- (k) If a condition set forth in subsection (j) occurs, the office of the secretary shall do the following:
 - (1) Initiate the process of implementing a system for the eligibility determination for services to be performed by state

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1 **employees.**
2 **(2) Submit a report to the committee on the administration of**
3 **public assistance established by IC 2-5-31:**
4 **(A) setting forth the schedule; and**
5 **(B) updating the committee;**
6 **on the implementation of the system described in subdivision**
7 **(1).**
8 **SECTION 13. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1003, 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 "Sec. 7.5." delete "The" and insert "(a) Except as provided in subsection (b), the".

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"(b) A health care provider may make a determination that an individual is presumptively eligible for the Medicaid program as allowed in the Medicaid state plan."

Page 1, line 13, delete "The" and insert "Except as provided in IC 12-8-1-7.5(b), the".

Page 2, line 6, delete "The" and insert "Except as provided in IC 12-8-1-7.5(b), the".

Page 2, line 30, after "program." insert "However, a health care provider may make a determination that an individual is presumptively eligible for the Medicaid program as allowed in the Medicaid state plan."

and when so amended that said bill do pass.

(Reference is to HB 1003 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 14, nays 10.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 2-5-31 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 31. Committee on the Administration of Public Assistance

Sec. 1. As used in this chapter, "committee" refers to the committee on the administration of public assistance established by section 3 of this chapter.

Sec. 2. As used in this chapter, "public assistance" refers to the



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following:

- (1) The federal Supplemental Nutrition Assistance Program (SNAP).
- (2) The Temporary Assistance for Needy Families (TANF) program.
- (3) The Medicaid program.

Sec. 3. The committee on the administration of public assistance is established.

Sec. 4. (a) The committee consists of the following members:

- (1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives, not more than two (2) of whom may be from the same political party.
- (2) Four (4) members of the senate appointed by the president pro tempore of the senate, not more than two (2) of whom may be from the same political party.
- (3) One (1) representative of a labor organization that represents state employees, appointed by the speaker of the house of representatives.
- (4) One (1) representative of a statewide organization that represents consumers of human services, appointed by the president pro tempore of the senate.

(b) If a vacancy on the committee occurs, the person who appointed the member whose position is vacant shall appoint an individual to fill the vacancy using the criteria set forth in subsection (a).

(c) In 2010, the speaker of the house of representatives shall appoint one (1) of the legislative members appointed by the speaker as the chairperson of the committee for a two (2) year period. In 2012, the president pro tempore of the senate shall appoint one (1) of the legislative members appointed by the president pro tempore as the chairperson of the committee for a two (2) year period. Subsequently, the speaker of the house of representatives and the president pro tempore of the senate shall alternate appointing the chairperson every two (2) years.

Sec. 5. The committee shall do the following:

- (1) Review the administration of public assistance in Indiana, including the process of making eligibility determinations.
- (2) Take public testimony on problems or concerns concerning the administration of public assistance in Indiana.
- (3) Receive:
 - (A) testimony;

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- (B) responses to committee questions; and**
- (C) updates;**

concerning changes in the public assistance eligibility process in Indiana from the office of the secretary of family and social services, or the director of the division of family resources if the secretary is unavailable, or a contractor for the office of the secretary.

(4) Make recommendations concerning any changes that the committee considers necessary concerning the public assistance process in Indiana.

(5) Make a determination described in IC 12-13-5-3.5(b) concerning whether an unfavorable evaluation has occurred within a time determined by the committee.

Sec. 6. Six (6) committee members constitute a quorum. The affirmative votes of at least six (6) committee members are necessary for the committee to take official action.

Sec. 7. The legislative services agency shall provide administrative support for the committee.

Sec. 8. (a) The committee shall meet at the call of the chairperson. Beginning April 1, 2010, the committee shall meet at least one (1) time every sixty (60) days.

(b) Except as provided in subsection (c) and section 9 of this chapter, the committee shall operate under the policies governing study committees adopted by the legislative council. The committee shall file an annual report with the legislative council in an electronic format under IC 5-14-6 if official action is taken by the committee.

(c) Beginning April 1, 2010, the committee may meet at any time during the calendar year.

Sec. 9. A member of the committee is not entitled to salary per diem, travel reimbursement, or other expenses incurred in connection with the member's duties on the committee.

Sec. 10. The secretary of family and social services, or the director of the division of family resources if the secretary is unavailable, shall make an oral and written presentation at each committee meeting concerning the administration of public assistance in Indiana. The office of the secretary shall respond to any question concerning the administration of public assistance that is provided to the office of secretary by the chairperson before a scheduled committee meeting.

SECTION 2. IC 12-7-2-75.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE

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UPON PASSAGE]: **Sec. 75.7. "Eligibility determination for services", for purposes of IC 12-13-5-3.5, refers to a decision regarding whether an individual is eligible for any of the following programs:"**

Page 1, delete lines 11 through 13, begin a new paragraph and insert:

"SECTION 3. IC 12-7-2-195.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 195.5. "Unfavorable evaluation", for purposes of IC 12-13-5-3.5, has the meaning set forth in IC 12-13-5-3.5(b)."

Page 1, line 16, delete "Except as provided in IC 12-8-1-7.5(b)," and insert **"(a) As used in this section, "eligibility determination for services" refers to a decision regarding whether an individual is eligible for any of the following programs:**

- (1) Federal Supplemental Nutrition Assistance Program (SNAP).**
- (2) Temporary Assistance for Needy Families (TANF).**
- (3) Medicaid.**

However, eligibility determinations for services do not include contracts substantially related to information technology for support services.

(b) As used in this section, "unfavorable evaluation" means a number of failed evaluations occurring over a time determined by a majority vote of the committee on the administration of public assistance established by IC 2-5-31.

(c) The office of the secretary shall include the following in the office's system for making an eligibility determination for services:

- (1) The following methods by which an individual may apply for services:**
 - (A) In person.**
 - (B) By telephone.**
 - (C) By completing an application over the Internet.**
- (2) An application for services or an application for renewal of services that is assigned to one (1) employee who collects all the information necessary for the application before sending the application to an employee with the authority to make an eligibility determination.**
- (3) The goal that all issues during the eligibility determination for services are resolved accurately, quickly, and on the first contact with the applicant.**
- (4) A review of the primary reasons individuals do not**

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complete the eligibility determination for services process, including any barriers that are the result of state policy or procedures.

(5) The inclusion of improvements to the system as a result of any findings in the review required under subdivision (4).

(d) Before July 1, 2010, the office of the secretary shall establish a monitoring system to be administered as an independent entity by a person other than the office of the secretary for the purpose of evaluating the quality of the eligibility determination for services process and subsequent contact with the office by recipients of services described in subsection (a).

(e) The monitoring system must do the following:

(1) Evaluate every point of contact an individual has from the initial application for services described in subsection (a) to the final determination by the office and any appeal by the individual of the determination.

(2) Track the place in the eligibility determination for services process, including intake, verification, determination, and renewal of an application for services, in which an individual stops participating in the process.

(3) Determine the primary causes for why individuals do not complete the process, including barriers that are a result of state policy or procedures.

(4) Review a monthly written accounting of the operational expenditures spent on eligibility determinations for services described in subsection (a).

(f) The office of the secretary shall use the monitoring system to analyze the eligibility determination for services process and determine places for improvement of the process.

(g) The office of the secretary and a contractor of the office of the secretary concerning eligibility determinations for services shall cooperate with a person administering the monitoring system and shall provide the person with any information or data requested in an expeditious manner.

(h) The office of the secretary shall attempt to resolve an issue of an applicant for, or a recipient of, services described in subsection (a) at the office's initial contact with the individual by using employees with decision making authority in the initial contact with applicants and recipients.

(i) The office of the secretary shall make the following information available on the office of the secretary's web site:

(1) A report and any other documents prepared by a person

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that has contracted with the state to review work performed under a contract for eligibility determinations for services, to be posted not later than thirty (30) days after the office of the secretary has received the report.

(2) Any contract, including the assignment of a contract and an amendment to a contract, that the office of the secretary has entered into for eligibility determinations for services, to be posted not later than thirty (30) days after the effective date of the contract, assignment, or amendment.

(3) Any change order or change in reimbursement or reimbursement schedules related to a contract for eligibility determinations for services, to be posted not later than thirty (30) days after the effective date of the change.

(j) The office of the secretary shall do everything contractually allowable to terminate a contract and may not enter into or renew a contract for eligibility determinations for services if either of the following occurs:

- (1) An unfavorable evaluation is received.
- (2) A majority vote by the committee on the administration of public assistance established by IC 2-5-31 to terminate the contract.

(k) If a condition set forth in subsection (j) occurs, the office of the secretary shall do the following:

- (1) Initiate the process of implementing a system for the eligibility determination for services to be performed by state employees.
- (2) Submit a report to the committee on the administration of public assistance established by IC 2-5-31:
 - (A) setting forth the schedule; and
 - (B) updating the committee;
 on the implementation of the system described in subdivision (1).".

Page 1, delete line 17.

Page 2, delete lines 1 through 38.

Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as printed January 5, 2010.)

RIECKEN

COPY



HOUSE MOTION

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

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

"SECTION 1. IC 3-7-15-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. **(a)** As provided in 42 U.S.C. 1973gg-5(a)(4)(A)(i) and 42 U.S.C. 1973gg-5(a)(6)(A), an office listed in section 2 of this chapter shall **do the following:**

(1) Distribute a voter registration form prescribed under section 4 of this chapter to each applicant for public assistance whenever the applicant:

(1) (A) applies for service or assistance;

(2) (B) applies for recertification or renewal of services or assistance; or

(3) (C) submits a change of address form relating to the service or assistance.

(2) Assist the applicant in completing the voter registration form as required by 42 U.S.C. 1973gg-5(a)(4)(A)(ii).

(3) Review the completed voter registration form as required in section 9 of this chapter.

(4) Accept the completed voter registration form from the applicant.

(5) Transmit the completed voter registration form to the appropriate county voter registration office as required by 42 U.S.C. 1973gg-5(d) and section 16 of this chapter.

(b) Unless the applicant declines in writing to register to vote, the requirements of subsection (a) apply whenever an applicant in person, by telephone, or by electronic means takes any of the actions described in subsection (a)(1).

SECTION 2. IC 3-7-15-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 8. **(a)** To register under this chapter, an individual must do the following: ~~white on the premises of the office:~~

(1) Complete the voter registration application prescribed under section 4 of this chapter.

(2) Present the application to an employee, subcontractor, or independent contractor of the office.

(b) If an individual contacts an office by telephone or electronic means, the office shall assist the individual in completing a voter registration form in either of the following ways:

(1) If the individual possesses:

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(A) a current and valid Indiana driver's license issued under IC 9-24; or

(B) an Indiana identification card for nondrivers issued under IC 9-24-16;

an employee, subcontractor, or independent contractor of the office shall serve as a surrogate for the individual in completing and submitting online a voter registration application as provided in IC 3-7-26.7.

(2) If the individual does not possess:

(A) a current and valid Indiana driver's license issued under IC 9-24; or

(B) an Indiana identification card for nondrivers issued under IC 9-24-16;

the office shall send the individual a voter registration form prescribed under section 4 of this chapter and a return envelope addressed to the office, postage prepaid.

(c) Whenever an office assists an individual as described in subsection (b)(2), the office shall:

(1) review as required by section 9 of this chapter the completed voter registration form returned by the individual; and

(2) transmit the completed voter registration form to the appropriate county voter registration office as required by section 16 of this chapter.

SECTION 3. IC 3-7-15-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 9. An employee, **subcontractor, or independent contractor** of the office who provides an individual with an application for assistance or services under section 3 of this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual:

(i) declines to register to vote;

(ii) fails to complete the voter registration part of the application; or

(iii) answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter

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registration application unless the individual refuses assistance, as provided in 42 U.S.C. 1973gg-5(a)(4)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate county voter registration office.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

SECTION 4. IC 3-7-15-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee, **subcontractor, or independent contractor** of the office who provides an individual with an application for assistance or services under section 3 of this chapter shall do the following:

(1) Inform the individual that office registration will not permit the individual to vote in the next election.

(2) Inform the individual of other procedures the individual may follow to vote in the next election.

SECTION 5. IC 3-7-15-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 11. As provided in 42 U.S.C. 1973gg-5(a)(5), an employee, **subcontractor, or independent contractor** of the office shall not do any of the following:

(1) Seek to influence an applicant's political preference or party registration.

(2) Display any political preference or party allegiance, including any pictures, photographs, or other likenesses of any currently elected federal, state, county, or local official.

(3) Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.

(4) Make any statement to an applicant or take any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to register has any bearing on the availability of services or benefits.

SECTION 6. IC 3-7-26.7-2, AS ADDED BY P.L.120-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2010]: Sec. 2. As used in this chapter, "applicant" means an individual who submits an application as provided in this chapter. **The term includes an individual who submits an application using a surrogate as provided in section 4 of this chapter.**

SECTION 7. IC 3-7-26.7-4, AS ADDED BY P.L.120-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. After June 30, 2010, an individual described in section 1 of this chapter may submit a voter registration application to a county voter registration office using:

- (1) the procedures set forth in this chapter; or
- (2) whenever the individual applies for public assistance under IC 3-7-15 by telephone or electronic means, a surrogate.**

SECTION 8. IC 3-7-31-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5. The registration forms prescribed under section 1 of this chapter must:

- (1) provide for the residence address and the mailing address of the individual completing the forms;
- (2) contain a statement that a notice of disposition of the person's registration application will be mailed to the mailing address of the individual; ~~and~~
- (3) require the applicant to provide the applicant's voter identification number; **and**
- (4) allow, but not require, the individual completing the forms to provide an electronic mail address."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as printed January 5, 2010.)

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