

Adopted	Rejected
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# COMMITTEE REPORT

YES:	6
NO:	2

## MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1325, 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:*

- 1           Page 1, between the enacting clause and line 1, begin a new
- 2           paragraph and insert:
- 3           "SECTION 1. IC 4-13-2-18.5 IS ADDED TO THE INDIANA
- 4           CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5           [EFFECTIVE JULY 1, 2010]: **Sec. 18.5. (a) Notwithstanding any**
- 6           **other law, the state shall complete the allotment process and either**
- 7           **distribute the funds by warrant or make an electronic transfer to**
- 8           **the area agencies on aging in the following manner:**
- 9           **(1) On the first business day following June 30:**
- 10           **(A) fifty percent (50%) of the money allocated by the state**
- 11           **to the area agencies on aging for the provision of home and**
- 12           **community based services; and**
- 13           **(B) federal dollars for home and community based services**
- 14           **provided by the area agencies on aging.**
- 15           **(2) On January 1 or the first business day following January**

- 1           **1 if January 1 is a Sunday:**  
 2           **(A) the remaining fifty percent (50%) of the money**  
 3           **allocated by the state to the area agencies on aging for the**  
 4           **provision of home and community based services; and**  
 5           **(B) federal dollars for home and community based services**  
 6           **provided by the area agencies on aging.**

7           **(b) Notwithstanding any other law, if the state fails to distribute**  
 8           **the funds to the area agencies on aging described in subsection (a),**  
 9           **the state shall pay the financing costs on the borrowed principal,**  
 10          **equity, or line of credit used by an area agency on aging to**  
 11          **maintain services and operations that occur as a result of the**  
 12          **failure to distribute the funds.**

13          SECTION 2. IC 12-9.1-1-4 IS ADDED TO THE INDIANA CODE  
 14          AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 15          1, 2010]: **Sec. 4. (a) The division may establish an office within the**  
 16          **division to implement this chapter.**

- 17          **(b) Not later than July 1, 2011, the division shall:**  
 18                  **(1) implement a program and standards for identifying,**  
 19                  **recruiting, training, certifying, and enrolling individuals to be**  
 20                  **independent providers of home and community based care**  
 21                  **services for individuals; and**  
 22                  **(2) establish a network of independent providers of home and**  
 23                  **community based care services for individuals.**

24          **(c) The division may contract with a state educational institution**  
 25          **or an area agency on aging in implementing the program described**  
 26          **in subsection (b).**

- 27          **(d) The division shall consult with the following in developing**  
 28          **the program and standards described in subsection (b):**  
 29                  **(1) The area agencies on aging.**  
 30                  **(2) Indiana Association for Home and Hospice Care.**  
 31                  **(3) Indiana Home Care Task Force.**  
 32                  **(4) Organizations representing senior citizens with statewide**  
 33                  **membership.**  
 34                  **(5) Organizations representing persons with disabilities with**  
 35                  **statewide membership.**  
 36                  **(6) An employee association or union that represents home**  
 37                  **and community based services employees in Indiana.**

38          **(e) The division shall do the following:**

- 1           **(1) Create and maintain a statewide registry that lists**  
 2           **independent home and community based services providers**  
 3           **who have been trained and certified by the division, and**  
 4           **provide the list of names by each area agencies on aging**  
 5           **district.**
- 6           **(2) Identify liability and health insurance options for**  
 7           **independent home and community based services providers.**
- 8           **(3) Establish fiscal intermediary services within the division**  
 9           **for individuals who are consumers of self-directed home and**  
 10           **community based care services through the community and**  
 11           **home options to institutional care for the elderly and disabled**  
 12           **program (CHOICE) and the Medicaid aged and disabled**  
 13           **waiver.**
- 14           **(4) Create in service training and professional enrichment**  
 15           **programs with the area agencies on aging for maintaining the**  
 16           **skills and quality of services by independent home and**  
 17           **community based services providers.**
- 18           **(5) Maintain a self-directed care hotline and support services**  
 19           **to address emergencies and other needs of individuals who are**  
 20           **consumers of self-directed home and community based care**  
 21           **services.**
- 22           **(f) The division may review options to participate in federal**  
 23           **programs that support the establishment and development of**  
 24           **networks for home and community based services."**
- 25           Page 2, delete lines 31 through 42.
- 26           Page 3, delete lines 1 through 22.
- 27           Page 3, line 41, delete "office under section 6 of this" and insert  
 28           **"agency and the office".**
- 29           Page 3, line 42, delete "chapter".
- 30           Page 3, line 42, after "options" insert **"under the law"**.
- 31           Page 4, line 1, delete "individual in the area." and insert  
 32           **"individual."**
- 33           Page 5, line 6, delete "(a)".
- 34           Page 5, line 11, delete ":".
- 35           Page 5, line 12, delete "(A)".
- 36           Page 5, line 12, delete ";" and insert **"in the area agencies on aging**  
 37           **service area;"**.
- 38           Page 5, line 13, delete "(B)".

- 1 Page 5, line 13, strike "are located within the hospital's service area;  
2 and".
- 3 Page 5, line 14, delete "(C)".
- 4 Page 5, line 14, strike "are known to the hospital;".
- 5 Page 5, delete lines 18 through 25.
- 6 Page 5, line 26, delete "(4)" and insert "(3)".
- 7 Page 5, line 30, delete "(5)" and insert "(4)".
- 8 Page 5, delete lines 33 through 39.
- 9 Page 7, after line 10, begin a new paragraph and insert:  
10 "SECTION 9. [EFFECTIVE JULY 1, 2010] **(a) The office of the**  
11 **secretary of family and social services, in consultation with the**  
12 **area agencies on aging, shall calculate:**
- 13 **(1) the number of individuals during the course of each state**  
14 **fiscal year who would have been served in a health facility;**  
15 **and**
- 16 **(2) the average cost to serve each individual in a health facility**  
17 **or other institution;**
- 18 **under the Medicaid program if this act were not implemented.**
- 19 **(b) The office of the secretary shall use the savings calculated**  
20 **under subsection (a) for the purchase of home and community**  
21 **based services for additional individuals.**
- 22 **(c) This act is subject to funding available to the office of the**  
23 **secretary of family and social services, including federal funds. The**  
24 **office of the secretary shall ensure that the cost of the services**  
25 **provided under this act does not exceed funding made available to**  
26 **the office of the secretary for the programs established under this**  
27 **act.**
- 28 **(d) This SECTION expires July 1, 2011."**
- 29 Renumber all SECTIONS consecutively.  
(Reference is to HB 1325 as introduced.)

**and when so amended that said bill do pass.**

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Representative Brown C