

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 366, 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:

- 1 Page 9, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 9. IC 16-18-2-282 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 282. (a) "Physician",
4 except as provided in ~~subsection~~ **subsections (b) and (c)**, means a
5 licensed physician (as defined in section 202 of this chapter).
6 (b) "Physician", for purposes of IC 16-41-12, has the meaning set
7 forth in IC 16-41-12-7.
8 **(c) "Physician", for purposes of IC 16-37-1-3.1 and**
9 **IC 16-37-3-5, means an individual who:**
10 **(1) was the physician last in attendance (as defined in section**
11 **282.2 of this chapter); or**
12 **(2) meets the requirements set forth in at least one (1) of the**
13 **following:**
14 **(A) IC 25-22.5-5-1.**
15 **(B) IC 25-22.5-5-2.**
16 **(C) IC 25-22.5-5-4.**
17 SECTION 10. IC 16-18-2-282.2 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2011]: **Sec. 282.2. (a) "Physician last in**
20 **attendance", means the individual who pronounced the time of**
21 **death for a deceased individual.**

1 **(b) For purposes of IC 16-37-3, the term includes an individual**
2 **who holds any medical license issued under IC 25-22.5."**

3 Page 9, line 19, delete "fifteen (15)" and insert "**eighteen (18)**".

4 Page 9, line 32, delete "facility or by a home health" and insert
5 "**facility**".

6 Page 9, delete line 33, begin a new line double block indented and
7 insert:

8 **"(E) One (1) registered nurse licensed under IC 25-23 who**
9 **is employed by a home health agency.**

10 **(F) One (1) residential care administrator."**

11 Page 9, line 34, delete "(E) One (1) individual who is" and insert
12 "**(G) Two (2) individuals who are**".

13 Page 9, line 34, delete "a".

14 Page 9, line 35, delete "administrator." and insert "**administrators,**
15 **as follows:**

16 **(i) One (1) individual employed at a for profit facility.**

17 **(ii) One (1) individual employed at a nonprofit facility."**

18 Page 9, line 36, delete "(F)" and insert "**(H)**".

19 Page 9, line 38, delete "(G)" and insert "**(I)**".

20 Page 9, line 40, delete "(H)" and insert "**(J)**".

21 Page 10, line 2, delete "(I)" and insert "**(K)**".

22 Page 10, line 2, delete "who has knowledge or an interest in" and
23 insert "**who:**

24 **(i) represents the interests of senior citizens; and**

25 **(ii) has experience as a health care advocate for senior**
26 **citizens and may represent a statewide organization."**

27 Page 10, delete lines 3 through 4.

28 Page 10, line 5, delete "(J)" and insert "**(L)**".

29 Page 10, line 5, delete "who has knowledge or an interest in" and
30 insert "**who:**

31 **(i) represents the interests of people with disabilities; and**

32 **(ii) has experience as a health care advocate for people**
33 **with disabilities and may represent a statewide**
34 **organization."**

35 Page 10, delete lines 6 through 7.

36 Page 10, line 8, delete "(K)" and insert "**(M)**".

37 Page 10, line 8, delete "who has knowledge or an interest in" and
38 insert "**who:**

- 1 **(i) represents the interests of people with chronic or**
 2 **acute health care needs; and**
 3 **(ii) has experience as a health care advocate for people**
 4 **with chronic or acute health care needs and may**
 5 **represent a statewide organization."**
- 6 Page 10, delete lines 9 through 10.
- 7 Page 10, line 11, delete "(L)" and insert "(N)".
- 8 Page 10, line 25, delete "(a)(3)(C), (a)(3)(D), (a)(3)(E), (a)(3)(F),
 9 (a)(3)(G), and (a)(3)(H)," and insert "**(a)(3)(C) through (a)(3)(J)**,".
- 10 Page 10, line 36, delete "Seven (7)" and insert "**Eight (8)**".
- 11 Page 10, line 38, delete "Six (6)" and insert "**Eight (8)**".
- 12 Page 11, line 19, delete "Eight (8)" and insert "**Ten (10)**".
- 13 Page 11, between lines 22 and 23, begin a new paragraph and insert:
 14 **"(d) The chairperson may approve the creation of a**
 15 **subcommittee at the request of a majority of the council members.**
 16 **A subcommittee member:**
 17 **(1) serves at the pleasure of the council; and**
 18 **(2) does not receive travel reimbursement or per diem."**
- 19 Page 12, delete lines 22 through 42.
- 20 Page 14, line 36, delete "January 1, 2013," and insert "**October 1,**
 21 **2013,**".
- 22 Page 15, line 6, reset in roman "within ninety (90) days after the
 23 state".
- 24 Page 15, line 7, reset in roman "department's request,".
- 25 Page 15, line 7, delete "after prior notice by the state department of".
- 26 Page 15, line 8, delete "the state department's proposed rule,".
- 27 Page 15, line 9, delete "rule to the executive board." and insert
 28 "rule.".
- 29 Page 17, line 10, reset in roman "not more than ninety".
- 30 Page 17, line 11, reset in roman "(90) days after the department's
 31 request,".
- 32 Page 17, line 11, delete "after prior notice by the".
- 33 Page 17, line 12, delete "state department of the state department's
 34 proposed rule,".
- 35 Page 17, line 13, reset in roman "its own rule.".
- 36 Page 17, line 13, delete "the rule to the executive board.".
- 37 Page 20, after line 42, begin a new paragraph and insert:
 38 "SECTION 36. IC 16-41-39.2 IS ADDED TO THE INDIANA

1 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 2 [EFFECTIVE UPON PASSAGE]:

3 **Chapter 39.2. Lead-Based Paint Poisoning Prevention Program**

4 **Sec. 1. (a) The state department shall establish a lead-based**
 5 **paint poisoning prevention program under the federal Toxic**
 6 **Substances Control Act (15 U.S.C. 2682 et seq.) concerning**
 7 **prerenovation education and renovation activities performed for**
 8 **compensation in target housing and child occupied facilities to**
 9 **ensure the following:**

10 (1) **Individuals engaged in these activities are properly**
 11 **trained.**

12 (2) **Training programs are accredited.**

13 (3) **Contractors engaged in these activities are certified.**

14 (b) **The state department shall include the following in the**
 15 **program:**

16 (1) **Standards for performing renovations, including:**

17 (A) **reliability;**

18 (B) **effectiveness; and**

19 (C) **safety.**

20 (2) **A requirement that all renovation activities performed for**
 21 **compensation in target housing and child occupied facilities**
 22 **be done by or overseen by certified individuals.**

23 (3) **Rules governing education requirements that must be**
 24 **completed by an individual before the renovation activities for**
 25 **compensation may occur.**

26 **Sec. 2. The state department's program must:**

27 (1) **be as protective as, but not more protective than, the**
 28 **federal regulations under 40 CFR Part 745, Subparts E and**
 29 **L; and**

30 (2) **provide for adequate enforcement.**

31 **Sec. 3. The state department shall adopt rules under IC 4-22-2**
 32 **necessary to implement this chapter.**

33 **Sec. 4. An individual who is certified under federal or state law**
 34 **to perform activities described in this chapter is not required to**
 35 **obtain another certification under this chapter.**

36 **Sec. 5. (a) The lead-based paint poisoning prevention program**
 37 **fund is established for the purpose of receiving fees and grant**
 38 **money and for the purpose of paying expenses related to**

1 **administration of the lead-based paint poisoning prevention**
 2 **program established under this chapter. The fund shall be**
 3 **administered by the state department.**

4 **(b) The expenses of administering the fund shall be paid from**
 5 **money in the fund.**

6 **(c) The treasurer of state shall invest the money in the fund not**
 7 **currently needed to meet the obligations of the fund in the same**
 8 **manner as other public money may be invested.**

9 **(d) Money in the fund at the end of a state fiscal year does not**
 10 **revert to the state general fund."**

11 Page 22, line 1, after ":" insert "IC 16-18-2-298; IC 16-18-2-318.1;
 12 IC 16-18-2-332;"

13 Page 22, line 7, delete "IC 16-37-1-11.7." and insert "IC
 14 16-37-1-11.7; IC 16-41-37-1; IC 16-41-37-2; IC 16-41-37-3;
 15 IC 16-41-37-3.1; IC 16-41-37-5; IC 16-41-37-6; IC 16-41-37-7;
 16 IC 16-41-37-8."

17 Renumber all SECTIONS consecutively.
 (Reference is to SB 366 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 6, Nays 1.

Miller

Chairperson