

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 218, 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 3, line 10, delete "Developmental" and insert "**(a) Except as**
2 **provided in subsection (b),** "developmental".
- 3 Page 3, line 16, strike "mental retardation," and insert "**intellectual**
4 **disability,**".
- 5 Page 3, line 19, after "related to" strike "mental".
- 6 Page 3, line 20, strike "retardation," and insert "**intellectual**
7 **disability,**".
- 8 Page 3, line 23, delete "mentally retarded persons." and insert "**a**
9 **person with an intellectual disability.**".
- 10 Page 4, between lines 10 and 11, begin a new paragraph and insert
11 the following:
- 12 **"(b) The definition in subsection (a) does not apply and may not**
13 **affect services provided to an individual receiving:**
- 14 **(1) home and community based Medicaid waiver; or**
15 **(2) ICF/MR;**
- 16 **services through the division on June 30, 2011."**
- 17 Page 5, delete lines 14 through 42, begin a new paragraph and
18 insert:
- 19 "SECTION 5. IC 12-12.7-2-17, AS ADDED BY P.L.93-2006,
20 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2011]: Sec. 17. **(a) As used in this section, "per unit of**
 2 **treatment" means an increment of fifteen (15) minutes for services**
 3 **provided to an individual.**

4 ~~(a)~~ **(b)** A family shall participate in the cost of programs and
 5 services provided under this chapter to the extent allowed by federal
 6 law according to the following cost participation schedule:

7	Percentage of		Copayment	Maximum
8	Federal Income		Per Unit of	Monthly
9	Poverty Level		Treatment	Cost Share
10	At	But Not		
11	Least	More Than		
12	0%	250%	\$ 0	\$ 0
13	251%	350%	\$3 0.75	\$ 24
14	351%	450%	\$6 1.50	\$ 48
15	451%	550%	\$ 15 3.75	\$ 120
16	551%	650%	\$25 6.25	\$ 200
17	651%	750%	\$50 13	\$ 400
18	751%	850%	\$75 19	\$ 600
19	851%	1000%	\$100 25	\$ 800
20	1001%		\$ 120	\$ 960

21 ~~(b)~~ **(c)** A cost participation plan used by the division for families to
 22 participate in the cost of the programs and services provided under this
 23 chapter:

24 (1) must:

25 (A) be based on income and ability to pay;

26 (B) provide for a review of a family's cost participation
 27 amount:

28 (i) annually; and

29 (ii) within thirty (30) days after the family reports a
 30 reduction in income; and

31 (C) allow the division to waive a required copayment if other
 32 medical expenses or personal care needs expenses for any
 33 member of the family reduce the level of income the family
 34 has available to pay copayments under this section;

35 (2) may allow:

36 **(A) the division to require a copayment for only one (1)**
 37 **child per family during a billing period; and**

38 **(B) a family to voluntarily contribute payments that exceed the**

- 1 family's required cost participation amount;
- 2 (3) must require the family to allow the division access to all
- 3 health care coverage information that the family has concerning
- 4 the infant or toddler who is to receive services;
- 5 (4) must require families to consent to the division billing third
- 6 party payors for early intervention services provided;
- 7 (5) may allow the division to waive the billing to third party
- 8 payors if the family is able to demonstrate financial or personal
- 9 hardship on the part of the family member; and
- 10 (6) must require the division to waive the family's monthly
- 11 copayments in any month for those services for which it receives
- 12 payment from the family's health insurance coverage.

13 ~~(c)~~ **(d)** Funds received through a cost participation plan under this

14 section must be used to fund programs described in section 18 of this

15 chapter."

16 Page 6, delete lines 1 through 21.

17 Page 6, line 29, delete "." and insert "**and, beginning July 1, 2012,**

18 **annually report the findings to the division of disability and**

19 **rehabilitative services advisory council established by**

20 **IC 12-9-4-2.**"

21 Page 6, line 33, delete "." and insert "**and, beginning July 1, 2012,**

22 **report the findings to the division of disability and rehabilitative**

23 **services advisory council established by IC 12-9-4-2.**"

24 Page 9, line 11, delete "IC 28-31-6-1" and insert "**section 1 of this**

25 **chapter**".

26 Page 11, line 20, delete "age and is no longer able to care for the

27 individual;" and insert "**age;**".

28 Page 11, line 32, after "(e)" insert "**The division shall report on a**

29 **quarterly basis the following information to the division of**

30 **disability and rehabilitative services advisory council established**

31 **by IC 12-9-4-2 concerning each Medicaid waiver for which the**

32 **office has been approved under this section to administer an**

33 **emergency placement priority for individuals described in this**

34 **section:**

35 **(1) The number of applications for emergency placement**

36 **priority waivers.**

37 **(2) The number of individuals served on the waiver.**

38 **(3) The number of individuals on a wait list for the waiver.**

- 1 **(f)**".
- 2 Page 11, line 34, delete "(f)" and insert "**(g)**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 218 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

Miller

Chairperson