SENATE ENROLLED ACT No. 15

AN ACT concerning health.

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

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The state department of health and the office of the secretary of family and social services shall:

(1) study the current brain injury services offered in Indiana; and
(2) determine:
   (A) any deficiencies in the provision of brain injury services in Indiana; and
   (B) how to implement additional brain injury services and neurobehavioral rehabilitation programs in Indiana.

(b) The study described in subsection (a) must include the following:

(1) Development of a licensure category for neurobehavioral rehabilitation facilities and the criteria to be included for the license.
(2) Assessment of whether incentives are needed to encourage the provision of brain injury services and neurobehavioral services in Indiana.
(3) Determination of the adequate reimbursement under the Medicaid program for brain injury and neurobehavioral services.
(4) Determination of whether funds from the Medicaid health
facility closure and conversion fund could be used to assist qualified service providers in opening a neurobehavioral rehabilitation facility or to enhance reimbursement for brain injury or neurobehavioral services in Indiana.

(5) Determination of whether existing Medicaid waivers should be amended to increase the number of individuals covered under the waivers or the services provided to individuals with traumatic brain injuries under the waivers, and the amendments that would be needed.

(c) Before October 1, 2012, the state department of health and the office of the secretary of family and social services shall report orally and in writing to the health finance commission established by IC 2-5-23-3 concerning the study conducted under this SECTION and any recommendations resulting from the study.

(d) The brain injury treatment advisory committee is established for the purpose of assisting the state department of health and the office of the secretary of family and social services with the study described in this SECTION. The committee consists of the following members:

(1) The commissioner of the state department of health or the commissioner's designee, who is the chairperson of the committee.
(2) The director of the office of Medicaid policy and planning, or the director's designee.
(3) The director of the division of aging, or the director's designee.
(4) The director of the rehabilitation services bureau within the office of the secretary of family and social services, or the director's designee.
(5) The following members appointed by the governor not later than May 1, 2012:
   (A) One (1) member representing the Brain Injury Association of Indiana.
   (B) Six (6) individuals representing any of the following:
      (i) Brain injury service providers.
      (ii) Residential care providers.
      (iii) Health care providers who have knowledge concerning brain injuries.
   (C) One (1) representative of the rate setting contractor used by the office of Medicaid policy and planning.
   (D) One (1) consumer of brain injury services.
   (E) One (1) psychologist licensed under IC 25-33-1 who
specializes in the assessment and treatment of individuals with a brain injury.

(F) One (1) individual who is a caregiver of a consumer of brain injury services.

(G) One (1) representative of the Indiana Association of Area Agencies on Aging.

The state department of health shall staff the committee. The committee shall meet at least four (4) times at the call of the chairperson. The members of the committee are not entitled to per diem or reimbursement for expenses incurred in connection with the members' committee duties.

(e) This SECTION expires July 1, 2013.

SECTION 2. [EFFECTIVE JULY 1, 2012] (a) During the 2012 legislative interim, the office of Medicaid policy and planning shall report to the health finance commission established by IC 2-5-23-3 concerning the feasibility and development of a risk based managed care pilot program for aged, blind, and disabled Medicaid recipients. This SECTION does not authorize the office to implement a risk based managed care pilot program.

(b) This SECTION expires December 31, 2012.

SECTION 3. An emergency is declared for this act.
President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _________________  Time: _________________