



March 22, 2013

**ENGROSSED
HOUSE BILL No. 1328**

DIGEST OF HB 1328 (Updated March 20, 2013 2:51 pm - DI 104)

Citations Affected: IC 12-8; IC 12-17.

Synopsis: School health care clinic and social services pilot project. Requires the office of the secretary of family and social services to develop and implement pilot projects to establish: (1) a health care clinic located in an elementary school or high school to provide health care to students and the students' families; and (2) an evidence-based program model with schools to provide social services to individuals. Specifies certain requirements and prohibitions relating to services provided by a school health care clinic. Allows the office of the secretary to contract with a vendor to: (1) administer the school health care clinic; and (2) provide services for the social services program model. Requires the office of the secretary to report to the health finance commission concerning the school health care pilot project, the number of school health care clinics in Indiana, and the effectiveness of school health care clinics.

Effective: July 1, 2013.

Brown T, Clere, Goodin, Battles

(SENATE SPONSORS — MILLER PATRICIA, RANDOLPH)

January 17, 2013, read first time and referred to Committee on Education.
February 11, 2013, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.
February 18, 2013, amended, reported — Do Pass.
February 20, 2013, read second time, amended, ordered engrossed.
February 21, 2013, engrossed.
February 25, 2013, read third time, passed. Yeas 79, nays 13.

SENATE ACTION

February 27, 2013, read first time and referred to Committee on Health and Provider Services.
March 21, 2013, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

EH 1328—LS 6527/DI 104+



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March 22, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1328

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 12-8-15 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2013]:

4 **Chapter 15. Social Services Programs in Schools**
5 **Sec. 1. (a) The office of the secretary shall develop and**
6 **implement an evidence-based program model that partners with**
7 **elementary schools (as defined in IC 20-18-2-4) and high schools**
8 **(as defined in IC 20-18-2-7) to provide social services to children,**
9 **parents, caregivers, teachers, and the community to prevent**
10 **substance abuse, promote healthy behaviors, and maximize student**
11 **success.**

12 **(b) The program model developed under this chapter must**
13 **include the following:**

- 14 **(1) Substance abuse services and prevention, including:**
15 **(A) problem identification;**
16 **(B) programs and strategies;**
17 **(C) referral to community resources;**

EH 1328—LS 6527/DI 104+



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- 1 (D) post treatment care; and
 2 (E) case management.
 3 (2) Assistance for children who are at risk for dropping out of
 4 school.
 5 (3) Grief counseling and suicide prevention.
 6 (4) Parenting skills and family communication education.
 7 (5) Social skills education and development.
 8 (c) The office of the secretary may initiate the program model
 9 required by this section as a pilot project in the southwestern
 10 region of Indiana.
 11 Sec. 2. (a) The office of the secretary may contract with an
 12 entity to provide services for the program model described in
 13 section 1 of this chapter. The entity must meet the following
 14 requirements:
 15 (1) Be a nonprofit organization that is qualified as exempt
 16 from federal income taxation under Section 501(c)(3) of the
 17 Internal Revenue Code.
 18 (2) Be incorporated or registered in Indiana as a business with
 19 at least five (5) years of experience in providing
 20 evidence-based prevention programs and social work services
 21 in a school setting.
 22 (3) Employ at least ten (10) individuals with a master's degree
 23 in social work to provide evidence-based programs and
 24 strategies that meet the needs of children, families, and
 25 teachers in school settings.
 26 (4) Partner with schools, churches, and other entities to
 27 provide services to children and families.
 28 (5) Provide independent evaluations that demonstrate the
 29 entity's success at:
 30 (A) reducing risk factors;
 31 (B) improving protective factors;
 32 (C) increasing resiliency; and
 33 (D) decreasing the individual concerns;
 34 of students.
 35 (b) If the office of the secretary contracts with an entity under
 36 subsection (a), the office of the secretary shall contract with an
 37 independent third party to do the following:
 38 (1) Evaluate the outcomes of the contractor's program model.
 39 (2) Prepare an annual report measuring the contractor's
 40 outcomes and assessing the effect of the program model.
 41 The office of the secretary shall provide a copy of the report
 42 required by this subsection to the legislative council in an

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electronic format under IC 5-14-6.

SECTION 2. IC 12-17-20 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 20. School Health Care Clinic Pilot Project

Sec. 1. (a) The office of the secretary of family and social services shall develop and implement a pilot project to establish a health care clinic to be located in an elementary school (as defined in IC 20-18-2-4) or a high school (as defined in IC 20-18-2-7) for the purpose of providing preventative care, acute care health care services, and behavioral health treatment to students and the students' family members on the school property.

(b) The office of the secretary may choose the location for the pilot project based on bids received by providers described in subsection (c) to administer the health care clinic.

(c) Subject to section 2 of this chapter, the office of the secretary may contract with an outside vendor, including a state university, hospital, or other health care provider, to run the health care clinic described in subsection (a).

Sec. 2. Except for a hospital, the office of the secretary may not contract with an entity that supports or performs abortions.

Sec. 3. A school health care clinic established under this chapter may not do the following:

- (1) Refer someone to an entity that provides contraceptives to minors.**
- (2) Refer someone to an entity that supports or performs abortions.**
- (3) Provide medical services to a student who is a minor without prior written parental permission.**
- (4) Dispense contraceptives.**
- (5) Refer a student who is a minor to an entity without prior written parental permission.**
- (6) Promote any subject matter that would be contrary to school curriculum required under IC 20-30-5.**

Sec. 4. If a school health care clinic provides medical services to a student, the clinic shall notify the parents of the student the same day the medical services are provided.

Sec. 5. (a) Before October 1, 2013, the office of the secretary shall report to the health finance commission established by IC 2-5-23-3 on the implementation of this chapter.

(b) Before October 1, 2014, and before October 1 of each year thereafter, the office of the secretary shall report to the health

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1 **finance commission concerning the following related to this**
2 **chapter:**

3 **(1) The number of school health care clinics in Indiana.**

4 **(2) The effectiveness of the school health care clinics.**

5 **Sec. 6. The office of the secretary may adopt rules under**
6 **IC 4-22-2 necessary to implement this chapter.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1328, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 12, nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1328, 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 15, delete "The" and insert "**Subject to section 2 of this chapter, the**".

Page 1, after line 17, begin a new paragraph and insert:

"Sec. 2. The office of the secretary may not contract with an entity that supports or performs abortions.

Sec. 3. A school health care clinic established under this chapter may not do the following:

- (1) Refer someone to an entity that provides contraceptives to minors.**
- (2) Refer someone to an entity that supports or performs abortions.**
- (3) Provide medical services to a student who is a minor without prior written parental permission.**
- (4) Dispense contraceptives.**
- (5) Refer a student who is a minor to an entity without prior written parental permission.**

Sec. 4. If a school health care clinic provides medical services to a student, the clinic shall notify the parents of the student the same day the medical services are provided."

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Page 2, line 1, delete "2." and insert "5."

Page 2, line 4, delete "3." and insert "6."

and when so amended that said bill do pass.

(Reference is to HB 1328 as printed February 12, 2013.)

BROWN T, Chair

Committee Vote: yeas 19, nays 2.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1328 be amended to read as follows:

Page 2, between lines 14 and 15, begin a new line block indented and insert:

"(6) Promote any subject matter that would be contrary to school curriculum required under IC 20-30-5."

(Reference is to HB 1328 as printed February 18, 2013.)

THOMPSON

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1328, 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:

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

"SECTION 1. IC 12-8-15 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 15. Social Services Programs in Schools

Sec. 1. (a) The office of the secretary shall develop and implement an evidence-based program model that partners with elementary schools (as defined in IC 20-18-2-4) and high schools (as defined in IC 20-18-2-7) to provide social services to children, parents, caregivers, teachers, and the community to prevent



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substance abuse, promote healthy behaviors, and maximize student success.

(b) The program model developed under this chapter must include the following:

- (1) Substance abuse services and prevention, including:
 - (A) problem identification;
 - (B) programs and strategies;
 - (C) referral to community resources;
 - (D) post treatment care; and
 - (E) case management.
- (2) Assistance for children who are at risk for dropping out of school.
- (3) Grief counseling and suicide prevention.
- (4) Parenting skills and family communication education.
- (5) Social skills education and development.

(c) The office of the secretary may initiate the program model required by this section as a pilot project in the southwestern region of Indiana.

Sec. 2. (a) The office of the secretary may contract with an entity to provide services for the program model described in section 1 of this chapter. The entity must meet the following requirements:

- (1) Be a nonprofit organization that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.
- (2) Be incorporated or registered in Indiana as a business with at least five (5) years of experience in providing evidence-based prevention programs and social work services in a school setting.
- (3) Employ at least ten (10) individuals with a master's degree in social work to provide evidence-based programs and strategies that meet the needs of children, families, and teachers in school settings.
- (4) Partner with schools, churches, and other entities to provide services to children and families.
- (5) Provide independent evaluations that demonstrate the entity's success at:
 - (A) reducing risk factors;
 - (B) improving protective factors;
 - (C) increasing resiliency; and
 - (D) decreasing the individual concerns; of students.



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(b) If the office of the secretary contracts with an entity under subsection (a), the office of the secretary shall contract with an independent third party to do the following:

- (1) Evaluate the outcomes of the contractor's program model.**
- (2) Prepare an annual report measuring the contractor's outcomes and assessing the effect of the program model.**

The office of the secretary shall provide a copy of the report required by this subsection to the legislative council in an electronic format under IC 5-14-6."

Page 1, line 9, delete "and" and insert "care,".

Page 1, line 10, delete "services" and insert "services, and behavioral health treatment".

Page 2, line 2, delete "The" and insert "Except for a hospital, the".

Page 2, line 20, after "5." insert "(a)".

Page 2, between lines 22 and 23, begin a new paragraph and insert:

"(b) Before October 1, 2014, and before October 1 of each year thereafter, the office of the secretary shall report to the health finance commission concerning the following related to this chapter:

- (1) The number of school health care clinics in Indiana.**
- (2) The effectiveness of the school health care clinics."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1328 as reprinted February 21, 2013.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 10, Nays 0.

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