

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 559, 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 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 6-8.1-3-7 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) The department
5 may enter into reciprocal agreements with the taxing officials of the
6 United States government or with the taxing officials of other state
7 governments to furnish and receive information relevant to the
8 administration and enforcement of the listed taxes. However, the
9 department may not furnish information obtained from federal returns
10 or schedules to officials of other state governments.
11 (b) All agencies of the state of Indiana shall cooperate with the
12 department in the administration of the listed taxes and shall, **upon**
13 **request and at no charge to the department**, furnish to the
14 department any information relevant to the administration and
15 collection of the listed taxes that the department requests. **In addition,**
16 **a state agency that encounters the use of a fraudulent identity shall**
17 **notify the department and provide in electronic format identifying**
18 **information as specified by the department for the department's**
19 **use in preventing tax fraud. If a state agency encounters the use of**
20 **fraudulent identities on a regular basis, the state agency shall**

1 provide to the department a monthly electronic report furnishing
2 the identifying information specified by the department.

3 (c) Before December 1 each year:

4 (1) the department of correction shall provide to the
5 department an electronic file listing the name and Social
6 Security number of each individual under the jurisdiction of
7 the department of correction as of November 1 of that year;
8 and

9 (2) the state department of health shall provide to the
10 department an electronic file listing the name of each
11 individual for whom an Indiana death certificate was issued
12 during the immediately preceding twelve (12) months."

13 Page 2, line 16, after "(a)" insert "This section is effective until
14 federal rules are promulgated that establish a replacement EBT
15 card process.

16 (b)".

17 Page 2, line 18, delete "a written request" and insert "contact with
18 the division's local office".

19 Page 2, line 21, delete "three (3)" and insert "four (4)".

20 Page 2, line 22, delete "(b)" and insert "(c)".

21 Page 2, line 24, delete "(a)." and insert "(b).".

22 Page 2, line 28, after "if" insert ":

23 (1) the provider is categorized as high risk to the Medicaid
24 program under 42 U.S.C. 1395cc(j)(2)(B) and 42 CFR
25 455.450; and

26 (2)".

27 Page 2, line 37, delete ":".

28 Page 2, line 38, delete "(1) IC 35-43-5;" and insert "IC 35-43-5".

29 Page 2, line 39, delete "(2) IC 35-43-10;" and insert "IC 35-43-10".

30 Page 2, run in lines 37 through 40.

31 Page 3, line 27, after "taxi;" insert "and".

32 Page 3, line 32, delete "; and" and insert ".".

33 Page 3, delete lines 33 through 34.

34 Page 3, line 35, after "(b)" insert " This section does not apply to
35 a transportation provider that is:

36 (1) exempt from federal taxation under Section 501(c)(3) of
37 the Internal Revenue Code;

38 (2) at the discretion of the secretary, granted a waiver of the

1 **bond requirement under subsection (c) to provide**
 2 **transportation services in a federal or state designated**
 3 **underserved area;**
 4 **(3) at the discretion of the secretary, granted a waiver of the**
 5 **bond requirement under subsection (c) based on the**
 6 **determination that the provider does not pose a significant**
 7 **risk of submitting fraudulent or false Medicaid claims;**
 8 **(4) owned or controlled by a person that is licensed or**
 9 **certified by a board listed in IC 25-1-9-1;**
 10 **(5) owned or controlled by a pharmacy that has a permit**
 11 **issued under IC 25-26-13;**
 12 **(6) owned or controlled by a hospital licensed under IC 16-21;**
 13 **or**
 14 **(7) required under federal law to obtain a surety bond to**
 15 **cover Medicaid overpayments and false Medicaid claims and**
 16 **has obtained a bond that complies with the applicable federal**
 17 **law.**

18 **(c)".**

19 Page 4, delete lines 4 through 9.

20 Page 4, line 14, delete "(b)." and insert "(c)".

21 Page 4, line 29, after "(6)" insert "**The surety bond must provide**
 22 **that the bond may not be void on a first recovery, but that suits**
 23 **may be instituted until the penalty is exhausted.**

24 **(7)".**

25 Page 4, line 40, delete "(7)" and insert "(8)".

26 Page 5, line 6, delete "(8)" and insert "(9)".

27 Page 5, line 32, delete "Require" and insert "**For providers**
 28 **categorized as high risk to the Medicaid program under 42 U.S.C.**
 29 **1395cc(j)(2)(B) and 42 CFR 455.450, require".**

30 Page 5, line 35, after "who" insert ":

31 **(A)".**

32 Page 5, line 36, after "entity" insert "; **or**

33 **(B) is a member of the board of directors of a nonprofit**
 34 **facility or entity;"**

35 Page 5, line 36, beginning with "in which" begin a new line block
 36 indented.

37 Page 6, delete lines 5 through 10, begin a new paragraph and insert:

38 **"(b) Before the office may approve a provider agreement, the**

1 **office shall conduct a pre-enrollment site visit for provider**
2 **applicants that are designated as moderate or high categorical**
3 **risks to the Medicaid program under 42 U.S.C. 1395cc(j)(2)(B) and**
4 **42 CFR 455.450."**

5 Renumber all SECTIONS consecutively.
 (Reference is to SB 559 as printed February 1, 2013.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

Hershman

Chairperson