

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.

SENATE ENROLLED ACT No. 414

AN ACT to amend the Indiana Code concerning insurance.

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

SECTION 1. IC 5-10-8-16 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 16. (a) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

(b) As used in this section, "high breast density" means a condition in which there is a greater amount of breast and connective tissue in comparison to fat in the breast.

(c) A state employee health plan must provide coverage for an appropriate medical screening, test, or examination for a female covered individual who is at least forty (40) years of age and who has been determined to have high breast density.

SECTION 2. IC 25-22.5-2-7, AS AMENDED BY P.L.225-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 7. (a) The board shall do the following:**

(1) Adopt rules and forms necessary to implement this article that concern, but are not limited to, the following areas:

(A) Qualification by education, residence, citizenship, training, and character for admission to an examination for licensure or by endorsement for licensure.

(B) The examination for licensure.

(C) The license or permit.

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- (D) Fees for examination, permit, licensure, and registration.
 - (E) Reinstatement of licenses and permits.
 - (F) Payment of costs in disciplinary proceedings conducted by the board.
- (2) Administer oaths in matters relating to the discharge of its official duties.
 - (3) Enforce this article and assign to the personnel of the agency duties as may be necessary in the discharge of the board's duty.
 - (4) Maintain, through the agency, full and complete records of all applicants for licensure or permit and of all licenses and permits issued.
 - (5) Make available, upon request, the complete schedule of minimum requirements for licensure or permit.
 - (6) Issue, at the board's discretion, a temporary permit to an applicant for the interim from the date of application until the next regular meeting of the board.
 - (7) Issue an unlimited license, a limited license, or a temporary medical permit, depending upon the qualifications of the applicant, to any applicant who successfully fulfills all of the requirements of this article.
 - (8) Adopt rules establishing standards for the competent practice of medicine, osteopathic medicine, or any other form of practice regulated by a limited license or permit issued under this article.
 - (9) Adopt rules regarding the appropriate prescribing of Schedule III or Schedule IV controlled substances for the purpose of weight reduction or to control obesity.
 - (10) Adopt rules establishing standards for office based procedures that require moderate sedation, deep sedation, or general anesthesia.
 - (11) Adopt rules or protocol establishing the following:**
 - (A) An education program to be used to educate women with high breast density.**
 - (B) Standards for providing an annual screening or diagnostic test for a woman who is at least forty (40) years of age and who has been determined to have high breast density.**
- As used in this subdivision, "high breast density" means a condition in which there is a greater amount of breast and connective tissue in comparison to fat in the breast.**
- (b) The board may adopt rules that establish:
 - (1) certification requirements for child death pathologists;
 - (2) an annual training program for child death pathologists under

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IC 16-35-7-3(b)(2); and

(3) a process to certify a qualified child death pathologist.

SECTION 3. IC 25-22.5-13.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 13.2. Notification Concerning Dense Breast Determination

Sec. 1. A facility that performs a mammography examination shall, if the patient is determined by the facility to have an amount of breast and connective tissue in comparison to fat in the breast that would require follow up care or testing, notify the patient of the determination. The notice required under this section must be included with a summary of the written mammography report.

SECTION 4. IC 27-8-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 13.5. Coverage for Medical Services for Women with High Breast Density

Sec. 1. This chapter applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2013.

Sec. 2. As used in this chapter, "high breast density" means a condition in which there is a greater amount of breast and connective tissue in comparison to fat in the breast.

Sec. 3. As used in this chapter, "insured" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 4. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1. The term does not include the following:

- (1) Accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.
- (2) Coverage issued as a supplement to liability insurance.
- (3) Automobile medical payment insurance.
- (4) A specified disease policy.
- (5) A short term insurance plan that:
 - (A) may not be renewed; and
 - (B) has a duration of not more than six (6) months.
- (6) A policy that provides indemnity benefits not based on any expense incurred requirement, including a plan that provides coverage for:
 - (A) hospital confinement, critical illness, or intensive care;



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or

- (B) gaps for deductibles or copayments.
- (7) Worker's compensation or similar insurance.
- (8) A student health plan.
- (9) A supplemental plan that always pays in addition to other coverage.
- (10) An employer sponsored health benefit plan that is:
 - (A) provided to individuals who are eligible for Medicare; and
 - (B) not marketed as, or held out to be, a Medicare supplement policy.

Sec. 5. A policy of accident and sickness insurance must provide coverage for an appropriate medical screening, test, or examination for a female insured who is at least forty (40) years of age and who has been determined to have high breast density.

SECTION 5. IC 27-13-7-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 21. (a) As used in this section, "high breast density" means a condition in which there is a greater amount of breast and connective tissue in comparison to fat in the breast.**

(b) An individual contract or a group contract that provides coverage for basic health care services must provide coverage for an appropriate medical screening, test, or examination for a female enrollee who is at least forty (40) years of age and who has been determined to have high breast density.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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