

Emergency Rule
LSA Document #19-385(E)

DIGEST

Temporarily amends [410 IAC 37-1-11](#) and [410 IAC 37-1-13](#) to remove the requirements for a copay for veterans who participate in the grants for hyperbaric oxygen treatment program. Extends the grant distribution period from June 30, 2020, to June 30, 2021. Statutory authority [IC 4-22-2-37.1](#); [IC 10-17-13.5-6](#); P.L.156-2019, SECTION 3. Effective July 26, 2019.

SECTION 1. (a) This SECTION supersedes [410 IAC 37-1-11](#).

(b) The provider shall make a preliminary determination as to whether a veteran is eligible for this program and document the eligibility in writing. The state department of health shall make the final determination of eligibility.

(c) To be eligible to participate in the program, a veteran must have had a service related event that caused traumatic brain injury or posttraumatic stress disorder that is documented by a licensed physician.

SECTION 2. (a) This SECTION supersedes [410 IAC 37-1-13](#).

(b) The Indiana department of veterans' affairs may approve a grant to a provider under [IC 10-17-13.5-6\(b\)](#) only if:

- (1) the treatment provided was based on the approved treatment plan;
- (2) the drug or device used in the treatment plan has been approved for any purpose by the federal Food and Drug Administration;
- (3) the veteran's health improved as a result of the hyperbaric oxygen treatment, as demonstrated by:
 - (A) standardized, independent pretreatment and posttreatment neuropsychological testing;
 - (B) nationally accepted survey instruments;
 - (C) neurological examination; or
 - (D) clinical examination; and
- (4) the Indiana department of veterans' affairs has received all pretreatment and posttreatment evaluation documentation.

(c) Grants shall be used to pay only for diagnostic testing and hyperbaric oxygen treatment for eligible participants as defined in SECTION 1 of this document.

(d) Grants may not be made after June 30, 2021.

SECTION 3. This document expires July 1, 2021.

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