

2018 Legislation Affecting the Indiana Department of Insurance

SEA 341 Incorporation of Documents

P.L. 124-2018; Effective: July 1, 2018

- Updates reference to documents and National Association of Insurance Commissioners (NAIC) handbooks incorporated by reference in Title 27 of the Indiana Code.
- Specifies the date on which a particular version of an incorporated document must be in effect for the incorporated document to apply.
- Provides for the Department to implement amendments to the version of a NAIC document previously incorporated after required reporting of the amendment to the Legislative Council and the standing Insurance Committees.
- Requires the Commissioner to submit a report each year by October 31 to the Legislative Council listing all amendments submitted and published after October 31 of the preceding year to the Legislative Council and the standing Insurance Committees.
- Requires incorporated documents to be made available to the public in both hardcopy and electronic formats on the Department's website.

Code Citations Affected: IC 27-1-1.5; IC 27-1-3-13; IC 27-1-3-1-6; IC 27-1-3-1-8; IC 27-1-3-1-9; IC 27-1-3-1-18; IC 27-1-3.5-7; IC 27-1-3.5-12; IC 27-1-3.5-12.1; IC 27-1-4.1-6; IC 27-1-4.1-8; IC 27-1-12-2' IC 27-1-12-2.2; IC 27-1-12-2.2; IC 27-1-12-2.4; IC 27-1-12-4; IC 27-1-12-7; IC 27-1-12-10.5; IC 27-1-12.1-13; IC 27-1-12.3-1; IC 27-1-12.4-1; IC 27-1-12.8-13; IC 27-1-12.8-17; IC 27-1-12.8-22; IC 27-1-12.8-23; IC 27-1-12.8-24; IC 27-1-12.8-25; IC 27-1-12.8-34; IC 27-1-12.8-35; IC 27-1-12.8-37; IC 27-1-13-3; IC 27-1-13-4; IC 27-1-13-8; IC 27-1-13-8.5; IC 27-1-13-10; IC 27-1-15.6-2; IC 27-1-15.6-7; IC 27-1-15.6-8; IC 27-1-15.6-8.2; IC 27-15.6-9; IC 27-1-20-33; IC 27-1-23-2.5; IC 27-1-23-3; IC 27-1-23-6; IC 27-1-23.5-6; IC 27-1-23.5-10; IC 27-1-23.5-11; IC 27-1-25-1; IC 27-1-25-4; IC 27-1-25-11.1; IC 27-1-25-12.2; IC 27-1-25-12.3; IC 27-1-28-8; IC 27-1-28-9; IC 27-1-28-12; IC 27-1-28-13; IC 27-1-36-4; IC 27-1-36-9.3; IC 27-1-36-17; IC 27-1-36-24; IC 27-1-36-25; IC 27-2-6-1; IC 27-2-8-1; IC 27-2-8-1; IC 27-2-10-7; IC 27-4-1-4; IC 27-4-5-1; IC 27-6-8-12; IC 27-6-9-11; IC 27-6-10-5; IC 27-6-10-11; IC 27-6-10-11.5; IC 27-6-10-14; IC 27-7-3-15.5; IC 27-7-10-14; IC 27-10-17; IC 2-7-10-17; IC 27-7-10-26; IC 27-8-5-1.5; IC 27-8-10-1; IC 27-8-10-11.2; IC 27-8-13-3; IC 27-8-14.2-3; IC 27-8-14.2-3; IC 27-8-14.7-4; IC 27-8-14.8-3; IC 27-8-18-2; IC 27-8-22.1-5; IC 27-11-6-12; IC 27-11-8-1; IC 27-11-8-2; IC 27-13-7-14.7; IC 27-13-7-17; IC 27-13-7-16; IC 27-13-7-17; IC 27-13-8-1.5; IC 27-13-8-2; IC 27-13-8-3; IC 27-13-23-6; IC 27-13-33-2; IC 27-13-34-14; IC 27-13-34-26; IC 27-13-36-1; IC 27-13-36-2; IC 27-13-23-6; IC 27-13-33-2: IC 27-13-34-14: 27-13-34-26; IC 27-13-36-1; IC 27-13-36-2; IC 27-13-41-1; IC 27-13-41-2; IC 27-14-1-18; IC 27-15-2-3; IC 27-16-2-13; IC 27-18-1-22; IC 27-18-1-26

HEA 1007 Mental Health Access

P.L. 195-2018; Effective: July 1, 2018

- Requires certain plans of accident and sickness to provide coverage for substance abuse or chemical dependency treatment provided by an addiction counselor or a marriage and family therapist.
- Insurers that issue or administer policies that provide coverage for basic health care services and HMOs must provide provisional credentialing to a provider if the credentialing determination is not completed in 30 days and if the provider meets certain requirements.

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- Provides that once an insurer or HMO fully credentials a provider holding provisional credentialing, that reimbursement payments under the contract between the provider and either the insurer or HMO are retroactive to the date of the provisional credentialing.
- Urges the Legislative Council to assign to an appropriate interim study committee the task of studying the impact that opioid treatment programs have on the neighborhoods and communities in the immediate area of the opioid treatment programs.

Code Citations Affected: IC 12-7-2-76.8; IC 12-7-2-98.6; IC 12-15-11-2; IC 12-15-11-5; IC 12-15-11-9; IC 12-15-22-1; IC 12-23-18-5.5; IC 12-23-19-3; IC 12-23-23; IC 22-2-6-2; IC 25-23.6-5-3.5; IC 25-23.6-5-11; IC 25-23.6-5-11.5; IC 25-23.6-8-1.5; IC 25-23.6-8.5-1.5; IC 25-23.6-10.5-1.5; IC 27-8-6-7; IC 27-8-11-7; IC 27-13-43-3; IC 31-9-2-31; IC 34-30-2-47.6

HEA 1017 Newborn Screenings

P.L. 17-2018; Effective: April 1, 2018

- Adds spinal muscular atrophy and severe combined immunodeficiency to the list of disorders in the newborn screening requirements.

Code Citations Affected: IC 16-41-17-2

HEA 1143 Prior Authorization for Health Care Services

P.L. 77-2018; Effective: July, 1 2018

- Specifies requirements for prior authorization of health plan coverage and claim payment, including provisions requiring electronic transmission of prior authorization requests and responses or, in certain circumstances, use of a standard prior authorization form established by the Department of Insurance.

Code Citations Affected: IC 5-10-8-19; IC 27-1-37.5; IC 27-8-28-6

HEA 1287 Newborn Screenings

P.L. 38-2018; Effective July 1, 2018

- Establishes that a newborn infant's blood sample testing for certain disorders must be taken not earlier than 24 hours from birth.
- Provides that the time requirement for taking a blood sample does not apply to preterm infants or newborn infants who receive a total exchange blood transfusion.

Code Citations Affected: IC 16-41-17-8

HEA 1317 Health Matters

P.L. 209-2018; Effective: July 1, 2018

- Prohibits an insurer, HMO, or LSHMO that provide coverage for drugs, or an administrator of drug benefits on behalf of an insurer, HMO, or LSHMO, from including a provision that requires an insured to make a payment for a prescription drug in an amount that exceeds the less of either the contracted copayment amount, or the amount of the total approved charges by the insurer, LSHMO, or HMO at the time of sale.
- Allows a pharmacist or pharmacy to provide an insured with information about the amount of the insured's cost share for the prescription drug.

Code Citations Affected: IC 5-10-8-20; IC 12-10-1-6; IC 12-10-10-2; IC 12-10-11-8; IC 12-10-11-9; IC 12-12.7-2-21; IC 12-14-29-5; IC 12-14-30-3; IC 12-15-13-8; IC 25-26-13-29; IC 25-13.5-18; IC 27-8-11-12; IC 27-13-15-6; IC 32-21-6-3

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HEA 1301 Insurance Matters

P.L. 208-2018; Effective: July 1, 2018

- Updates names of health care provider billing forms.
- Amends the financial responsibility requirement for a contract carrier that transports railroad employees.
- Permits the Department of Insurance and Governor to apply for a 1332 waiver.
- Provides for automobile commercial umbrella or excess liability coverage policies, riders, or endorsements to have reduced limits or removal of coverage, and requires notice of a reduction or removal regarding uninsured motorist coverage.
- Repeals the law providing for a multistate surplus lines insurance compact, SLIMPACT.
- Amends the law concerning taxation of surplus lines producers on business sold to insureds whose home state is Indiana.
- Requires HMOs to be member insurers in the Life and Health Insurance Guaranty Association.
- Repeals unnecessary deposit requirements of HMOs to the Department of Insurance for noncovered healthcare expenditures.
- Urges the Legislative Council to assign the issue of bond requirements for public-private agreements for study during the 2018 interim of the General Assembly.
- Makes conforming amendments.

Code Citations Affected: IC 5-10-8.1-8; IC 8-2.1-22-46; IC 12-15-12-13; IC 27-1-3.1-6; IC 27-1-15.6-2; IC 27-1-15.8-1; IC 27-1-15.8-4; IC 27-1-37.5-10; IC 27-7-5-2; IC 27-8-5.7-7; IC 27-8-8-0.3; IC 27-8-8-2; IC 27-8-8-2.1; IC 27-8-8-2.3; IC 27-8-8-3; IC 27-8-8-4; IC 27-8-8-5; IC 27-8-8-5.2; IC 27-8-8-6; IC 27-8-8-8; IC 27-8-8-9; IC 27-8-8-10; IC 27-8-8-11; IC 27-8-8-16.2; IC 27-8-8-18; IC 27-8-8-18; IC 27-8-10-5.1; IC 27-13-2-5; IC 27-13-13-5; IC 27-13-13-9; IC 27-13-16; IC 27-13-18; IC 27-13-36.2-5; IC 27-15-6-2; IC 27-18; IC 34-30-2-119.8

HEA 1406 Department of Child Services

P.L. 150-2018; Effective July 1, 2018

- Requires the Commissioner of Insurance to place the license of an insurance producer, bail agent, or recovery agent on probationary status upon receiving an order from the Child Support Bureau indicating that the licensee has a child support payment delinquency.
- Requires the Commissioner of Insurance to suspend a person's license after not receiving notice from the Bureau within 20 days of the notice of the probationary status.

Code Citations Affected: IC 27-1-15.6-29; IC 27-10-3-20

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