

ISHA

Bill Track

Run Time: Wednesday, Jan-11-2012, 09:32 PM

HB1006 *Regulated occupations.* ([Wolkins](#))

Digest

Provides that optometrists may prescribe, dispense, and administer controlled substances. Repeals the law governing the following professions, including their professional licensing boards and licenses: (1) Beauty culture (cosmetologists and barbers). (2) Commission on dietetic registration and licensure of dietitians. (3) Hearing aid dealers. (4) Private investigator firms. (5) Security guards. Makes conforming and technical changes.

Date	Action
01/06/2012	H: 1st Reading Assigned Employment, Labor and Pensions
01/09/2012	H: Author Added David Alan Wolkins

HB1014 *Health care professionals conscience clause.* ([Davisson](#))

Digest

Provides that a health care professional may not be required to dispense a drug or medical device if the health care professional believes the drug or medical device would be used to: (1) cause an abortion; (2) destroy an unborn child; or (3) cause the death of a person by means of assisted suicide, euthanasia, or mercy killing. Specifies that a health care professional's refusal to dispense a drug or medical device under those circumstances may not be the basis for: (1) a claim for damages against the health care professional, the health care professional's employer, or the facility where the health care professional is employed; or (2) disciplinary action against the health care professional. Provides that an employer who knowingly or intentionally takes disciplinary, recriminatory, or discriminatory action against a health care professional who refuses to dispense a drug or medical device under those circumstances commits health care professional discrimination, a Class A misdemeanor. Makes a second or subsequent offense a Class D felony. Authorizes the health care professional's licensing board to assess additional fines against the employer.

Date	Action
01/04/2012	H: 1st Reading Assigned Public Policy
01/09/2012	H: Author Added Steve Davisson

HB1106 *Medical records fees.* ([Cheatham](#))

Digest

Prohibits a provider from charging a fee for searching for or copying medical records if the provider is not able to find and copy the records.

Date	Action
01/06/2012	H: 1st Reading Assigned Public Health
01/09/2012	H: Author Added David Cheatham

HB1269 Health care compact. (Neese)

Digest

Adopts the health care compact. Requires the securing of the consent of the United States Congress. Specifies that the state legislature of each member state has the primary responsibility to regulate health care in the member state's jurisdiction. Allows member states of the compact to suspend all federal laws, regulations, and orders concerning health care that are inconsistent with the laws and regulations adopted by the member state under the compact. Creates the interstate advisory health care commission consisting of individuals from member states.

Date	Action
01/09/2012	H: Author Added Tim Neese
01/09/2012	H: Co Author Added Robert Cherry
01/09/2012	H: Co Author Added Ron Bacon
01/09/2012	H: Co Author Added Eric Koch
01/09/2012	H: 1st Reading Assigned Public Health
01/09/2012	H: Author Tim Neese
01/09/2012	H: Author Eric Koch
01/09/2012	H: Author Robert Cherry
01/09/2012	H: Author Ron Bacon

HB1280 Regulatory matters. (Koch)

Digest

Provides that intrastate commerce in Indiana is not subject to the authority of the United States Congress. Provides for a retrospective review of agency rules. Imposes a duty on a state agency under certain circumstances to give a person an opportunity to correct an alleged violation of law that is discovered in an inspection. Requires hearing officers and administrative law judges to be attorneys licensed to practice law in Indiana. Requires state agencies and instrumentalities to implement continuous process improvement techniques. Requires agencies to evaluate the benefits and costs of rules, seek alternatives to regulation, establish and publish a rulemaking docket, and encourage public participation in rulemaking proceedings. Requires that state documents provided to the public must be written in plain English. Requires each unit of local government that receives franchise fees paid to a unit from an entity providing video services to submit to the IURC an annual report on the unit's receipt and use of those franchise fees during the calendar year for which the report is submitted. Consolidates six categories of pharmacy licenses into three categories. Extends the provisions of the public lawsuit statute to cover all actions against a municipal corporation in which the petitioner has public standing.

Date	Action
01/10/2012	H: Author Added Eric Koch
01/10/2012	H: 1st Reading Assigned Government and Regulatory Reform

HB1326 Various education matters. (Rhoads)

Digest

Provides that an "expanded criminal history check," for purposes of education law, requires a national criminal history background check. Eliminates other types of permissible record searches under current law. Abolishes

the following programs and entities concerning various education matters: (1) Technology apprenticeship grant program. (2) Corporation for educational technology, including the buddy system project. (3) School intervention and career counseling development program. (4) Education consultant for health and physical education. (5) Principal leadership academy. (6) School grant writing and fund raising assistance program. (7) Technology preparation task force. (8) Research and development program concerning various studies and evaluations. (9) Educational technology council. (10) Teacher quality and professional improvement program. (11) Committee on educational attitudes, motivation, and parental involvement. (12) Readiness testing. (13) Student services programs. (14) Twenty-first century schools pilot program. (15) Anti-gang counseling pilot program and fund. (16) Department of education review of professional development programs. (17) Placement of school in category or designation of school improvement. (18) Performance based awards. (19) ISTEP program citizens' review committee. (20) Ambassador for education. Deletes provisions concerning: (1) availability of ISTEP essay questions for inspection by students and parents; and (2) requests for rescoring. Deletes obsolete provisions concerning testing schedules. Deletes obsolete provisions concerning assessments at the conclusion of certain Core 40 courses. Makes conforming changes. Deletes references to statutes repealed during the 2011 legislative session.

Date	Action	
01/10/2012	H: Author	Added Rhonda Rhoads
01/10/2012	H: Co Author	Added Robert W. Behning
01/10/2012	H: 1st Reading	Assigned Education
01/13/2012	H: Committee Sched	8:30am Room 156C Education

HB1351 *Collection of Medicaid spend down.* ([Bacon](#))

Digest

Allows a provider to collect a Medicaid spend down balance from a Medicaid recipient at the time services are rendered. Requires the provider to report the amount of the spend down collected.

Date	Action	
01/10/2012	H: Author	Added Ron Bacon
01/10/2012	H: Co Author	Added Suzanne Crouch
01/10/2012	H: 1st Reading	Assigned Public Health

HB1367 *Deaf and hearing impaired education services.* ([Noe](#))

Digest

Establishes the center for deaf and hearing impaired education to ensure that children who are deaf or hearing impaired acquire optimal communication and academic abilities. Requires the office of management and budget to determine an appropriate agency to provide office space and staff support for the center. Transfers the outreach services and consultative services to local education agencies to assist in meeting the needs of locally enrolled students with hearing disabilities of the Indiana School for the Deaf to the center for deaf and hearing impaired education. Provides that the Indiana School for the Blind and Visually Impaired and the Indiana School for the Deaf are subject to accountability provisions for performance and improvement, but are not subject to sanction provisions.

Date	Action	
01/10/2012	H: Author	Added Cindy Noe
01/10/2012	H: 1st Reading	Assigned Education

SB0012 Reestablishment of FSSA. (Miller)

Digest

Reestablishes the office of the secretary of family and social services and other divisions and offices within FSSA. (The introduced version of this bill was prepared by the health finance commission.)

<u>Date</u>	<u>Action</u>	
01/04/2012	S: Author	Added Patricia L. Miller
01/04/2012	S: 1st Reading	Assigned Health and Provider Services
01/11/2012	S: Committee Sched	9:00am Room Senate Chambers Health and Provider Services

SB0015 Brain injury services study and committee. (Becker, Miller)

Digest

Requires the state department of health (state department) and the office of the secretary of family and social services (office) to study how to implement brain injury services and neurobehavioral rehabilitation programs. Requires the state department and the office to report orally and in writing to the health finance commission before October 1, 2012. Establishes the brain injury treatment committee to assist the state department and the office with the required study. (The introduced version of this bill was prepared by the health finance commission.)

<u>Date</u>	<u>Action</u>	
01/04/2012	S: Author	Added Vaneta Becker
01/04/2012	S: Author	Added Patricia L. Miller
01/04/2012	S: 1st Reading	Assigned Health and Provider Services
01/11/2012	S: Committee Sched	9:00am Room Senate Chambers Health and Provider Services
01/11/2012	S: Committee Action	Pass Amend(9-0) Health and Provider Services

SB0030 Limitation on adoption of agency rules. (Leising)

Digest

Provides that after May 1, 2012, a state agency may not adopt a rule that will have a total estimated economic impact of any amount on the state, an instrumentality of the state, or a political subdivision unless the rule is required to comply with a court order or with a federal law, a federal regulation, or the terms of a federal grant or loan. For a rule that meets this requirement, requires the agency proposing it to submit the rule to the office of management and budget for a fiscal analysis and preparation of a fiscal impact statement.

<u>Date</u>	<u>Action</u>	
01/04/2012	S: Author	Added Jean Leising
01/04/2012	S: 1st Reading	Assigned Tax and Fiscal Policy

SB0199 Evaluation of agencies and programs. (Delph)

Digest

Establishes procedures for the evaluation and termination of all state agencies and programs on a ten year cycle. Requires the school of public and environmental affairs or business schools of Indiana University, Purdue University, Ball State University, Indiana State University, and the University of Southern Indiana to develop internship programs to give credit to students who perform the evaluation of state agencies and programs, and

requires the universities to provide the evaluation service under the direction of the legislative services agency. Makes necessary appropriations to implement termination of an agency or agency program. Repeals the current law on the legislative evaluation and oversight of agencies and programs.

Date	Action
01/04/2012	S: Author Added Mike Delph
01/04/2012	S: 1st Reading Assigned Appropriations

SB0278 Voiding of certain Medicaid rules. ([Simpson](#))

Digest

Eliminates emergency rulemaking for the office of the secretary of family and social services (office) and the office of Medicaid policy and planning concerning: (1) federal Medicaid waiver program provisions; and (2) federal programs administered by the office. Voids a final rule and emergency rules concerning the following: (1) A five percent reduction in Medicaid reimbursement for chiropractic and podiatric services. (2) A five percent reduction of Medicaid reimbursement for speech therapists, audiologists, optometrists, opticians, independent laboratory providers, independent radiology providers, and freestanding renal dialysis clinics. (3) A reduction in the Medicaid dispensing fee from \$4.90 to \$3.00.

Date	Action
01/04/2012	S: Author Added Vi Simpson
01/04/2012	S: 1st Reading Assigned Health and Provider Services

SB0294 Public records and public meetings. ([Holdman](#))

Digest

Provides that an officer or management level employee of a public agency who knowingly or intentionally violates the open door law by: (1) taking final action outside a regular meeting or special meeting; (2) participating in a secret ballot during a meeting; (3) discussing in an executive session subjects that are not eligible for an executive session; or (4) participating in at least one meeting of a series of meetings prohibited by law; commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally denies a request for a public record that the officer or management level employee knows or reasonably should know is subject to disclosure under the open records act commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally charges an excessive copying fee commits a Class C infraction and is personally liable for the judgment and costs. Prohibits a public agency from charging a fee for a public record transmitted by electronic mail except for a: (1) fee charged for reprogramming a computer system if the reprogramming is required to separate disclosable information from nondisclosable information; (2) certification or search fee set by statute or ordered by a court; or (3) fee charged for providing an electronic map.

Date	Action
01/05/2012	S: Author Added Travis Holdman
01/05/2012	S: 1st Reading Assigned Local Government

SB0310 Medicaid fraud. ([Miller](#), [Hershman](#))

Digest

Provides that a person who is convicted of public assistance fraud or tax fraud is ineligible for medical assistance

for a specified time. Allows the office of Medicaid policy and planning (office) to adopt rules to establish a process for suspending a person from receiving medical assistance if the office has reasonable suspicion that the person has committed public assistance fraud. Requires a Medicaid recipient to notify the office within 30 days after the recipient asserts a claim or files a legal action against a third party for medical services costs that were paid for by the office. Requires the office to send: (1) an itemized list of the medical services provided to the recipient; and (2) a notice of intent to perfect a lien for the expenses; to the third party. Prohibits certain actions from becoming final before first allowing the office written notice and a reasonable opportunity to perfect a right of recovery. Repeals a provision requiring the office to send an itemized statement of medical expenses for certain recipients to perfect a lien. Specifies that "public assistance or relief" includes medical assistance. Includes applicants and recipients of public assistance or relief in the crime of welfare fraud.

<u>Date</u>	<u>Action</u>
01/05/2012	S: Author Added Brandt Hershman
01/05/2012	S: Author Added Patricia L. Miller
01/05/2012	S: 1st Reading Assigned Health and Provider Services

SB0354 *Medical malpractice patient's compensation fund.* ([Paul](#))

Digest

Requires claims for payment from the medical malpractice patient's compensation fund to be computed and paid every three months instead of every six months.

<u>Date</u>	<u>Action</u>
01/09/2012	S: Author Added Allen E. Paul
01/09/2012	S: 1st Reading Assigned Judiciary