

PROPOSED AMENDMENT

HB 1067 # 1

DIGEST

Program oversight boards. Removes the requirement that the governor's appointments to the Indiana state commission on aging (commission) must include members from each congressional district. Requires the governor to ensure regional representation of the area agencies on aging in appointing members to the commission. Specifies that the executive director of the Indiana housing and community development authority or the executive director's designee is a member of the commission. Requires three members of the commission to have familiarity with the provision of services to the elderly, individuals experiencing mental illness, or individuals with disabilities. Specifies that members of the commission serve at the will of the governor. Adds the following members to the community and home options to institutional care for the elderly and disabled board (board): (1) The executive director of the Indiana housing and community development authority or the executive director's designee. (2) A citizen nominated by organizations that represent direct service workers and have statewide membership. Requires the appropriate appointing authority to fill vacancies among the legislative members of the board. Specifies the following: (1) Membership criteria for certain appointments to the board. (2) The dates on which the terms of the board members expire. (3) That board members may be reappointed to successive terms.

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- 1 Page 1, between lines 9 and 10, begin a new paragraph and insert:
2 "SECTION 2. IC 12-10-2-3 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The
4 commission consists of sixteen (16) members.
5 (b) Not more than eight (8) members may be from the same political
6 party. The members must be Indiana residents who are interested in the
7 problems of the aging and the aged.
8 (c) The governor shall appoint the members of the commission
9 using the following geographical distribution formula:
10 ~~(1) One (1) member from each congressional district.~~
11 ~~(2) The balance of the members appointed at large: to ensure that~~
12 **the commission includes members representing the area**
13 **agencies on aging as follows:**
14 **(1) Three (3) members from the region served by Area 1**
15 **through Area 5.**
16 **(2) Three (3) members from the region served by Area 6**
17 **through Area 9.**
18 **(3) Three (3) members from the region served by Area 10**

1 **through Area 16.**

2 However, Not more than two (2) residents of the same county may be
3 appointed as members of the commission.

4 **(d) Beginning July 1, 2024, the commission must contain:**

5 **(1) the executive director of the Indiana housing and**
6 **community development authority or the executive director's**
7 **designee;**

8 **(2) at least one (1) member who is a:**

9 **(A) direct provider of; or**

10 **(B) service worker employed to provide;**
11 **services provided through the division;**

12 **(3) at least one (1) member who is:**

13 **(A) a recipient; or**

14 **(B) the caregiver of a recipient;**

15 **of services provided through the division; and**

16 **(4) one (1) citizen nominated by one (1) or more organizations**
17 **that:**

18 **(A) represent individuals with mental illness; and**

19 **(B) have statewide membership.**

20 SECTION 3. IC 12-10-2-4 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **Subject to**
22 **subsection (c)**, the term of a member of the commission is four (4)
23 years. The term of a member filling a vacancy is for the remainder of
24 the unexpired term.

25 (b) The term of a member of the commission expires July 1, but a
26 member continues in office until a successor is appointed.

27 (c) **A member of the commission serves at the will of the**
28 **governor.** The governor may terminate the appointment of a member
29 of the commission by notifying the member, the chairman of the
30 commission, and the director.

31 SECTION 4. IC 12-10-11-2, AS AMENDED BY P.L.32-2021,
32 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 UPON PASSAGE]: Sec. 2. (a) The board consists of the following
34 ~~fifteen (15)~~ **seventeen (17)** members:

35 (1) The director of the division of aging or the director's designee.

36 (2) The chairman of the Indiana state commission on aging or the
37 chairman's designee.

38 (3) Three (3) citizens nominated by two (2) or more organizations
39 that:

40 (A) represent senior citizens; and

- 1 (B) have statewide membership.
- 2 **At least one (1) of the members appointed under this**
- 3 **subdivision must be a recipient, or the caregiver of a**
- 4 **recipient, of services provided under IC 12-10-10.**
- 5 (4) One (1) citizen nominated by one (1) or more organizations
- 6 that:
- 7 (A) represent individuals with disabilities, including
- 8 individuals who are less than eighteen (18) years of age; and
- 9 (B) have statewide membership.
- 10 (5) One (1) citizen nominated by one (1) or more organizations
- 11 that:
- 12 (A) represent individuals with mental illness; ~~including~~
- 13 ~~dementia~~; and
- 14 (B) have statewide membership.
- 15 (6) One (1) provider who provides services under IC 12-10-10.
- 16 (7) One (1) licensed physician, physician assistant, or registered
- 17 nurse who specializes either in the field of gerontology or in the
- 18 field of disabilities.
- 19 (8) Two (2) home care services advocates or policy specialists
- 20 nominated by two (2) or more:
- 21 (A) organizations;
- 22 (B) associations; or
- 23 (C) nongovernmental agencies;
- 24 that advocate on behalf of home care consumers, including an
- 25 organization listed in subdivision (3) that represents senior
- 26 citizens or persons with disabilities.
- 27 (9) Two (2) members of the senate, who may not be members of
- 28 the same political party, appointed by the president pro tempore
- 29 of the senate with the advice of the minority leader of the senate.
- 30 (10) Two (2) members of the house of representatives, who may
- 31 not be members of the same political party, appointed by the
- 32 speaker of the house of representatives with the advice of the
- 33 minority leader of the house of representatives.
- 34 **(11) The executive director of the Indiana housing and**
- 35 **community development authority or the executive director's**
- 36 **designee.**
- 37 **(12) One (1) citizen nominated by one (1) or more**
- 38 **organizations that:**
- 39 **(A) represent direct service workers; and**
- 40 **(B) have statewide membership.**

1 The members of the board listed in subdivisions (9) and (10) are
 2 nonvoting members **who serve two (2) year terms ending June 30 of**
 3 **each odd-numbered year. The president pro tempore of the senate**
 4 **or the speaker of the house of representatives shall fill vacancies**
 5 **occurring among the legislative members of the board as**
 6 **appropriate.**

7 (b) The members of the board designated by subsection (a)(3)
 8 through (a)(8) shall be appointed by the governor for terms of four (4)
 9 years. **The initial term of the member appointed under subsection**
 10 **(a)(12) is three (3) years and the length of each successive term is**
 11 **four (4) years.** The term of a member of the board expires ~~July 1~~ as
 12 follows:

- 13 (1) **For a member appointed under subsection (a)(3) through**
 14 **(a)(5), June 30, 2025, and every fourth year thereafter.**
 15 (2) **For a member appointed under subsection (a)(6) through**
 16 **(a)(8), June 30, 2027, and every fourth year thereafter.**
 17 (3) **For the member appointed under subsection (a)(12), June**
 18 **30, 2027, and every fourth year thereafter.**

19 **A member described in this subsection may be reappointed to**
 20 **successive terms.** However, a member may continue to serve until a
 21 successor is appointed. In case of a vacancy, the governor shall appoint
 22 an individual to serve for the remainder of the unexpired term.

23 (c) The division shall establish notice and selection procedures to
 24 notify the public of the board's nomination process described in this
 25 chapter. Information must be distributed through:

- 26 (1) the area agencies on aging; and
 27 (2) all organizations, associations, and nongovernmental agencies
 28 that work with the division on home care issues and programs."

29 Renumber all SECTIONS consecutively.

(Reference is to HB 1067 as introduced.)