

# PROPOSED AMENDMENT

## SB 4 # 12

### DIGEST

Attendant care services. Requires the legislative services agency to submit a report to the legislative council concerning the provision of attendant care services by legally responsible individuals.

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- 1           Page 23, between lines 18 and 19, begin a new paragraph and insert:  
2           "SECTION 25. [EFFECTIVE UPON PASSAGE] (a) As used in  
3           **this SECTION, "attendant care services" means those basic and**  
4           **ancillary services that enable an individual to live in the**  
5           **individual's home and community rather than in an institution and**  
6           **to carry out functions of daily living, self-care, and mobility.**  
7           (b) As used in this SECTION, "home and community based  
8           services Medicaid waiver" refers to any home and community  
9           based Medicaid waiver approved by the United States Department  
10          of Health and Human Services for Indiana.  
11          (c) As used in this SECTION, "legally responsible individual"  
12          means:  
13               (1) the parent, guardian, or other relative who is legally  
14               responsible for a minor child; or  
15               (2) the spouse of an individual;  
16          receiving home and community based services under a home and  
17          community based services Medicaid waiver.  
18          (d) As used in this SECTION, "office" means the office of the  
19          secretary of family and social services established by IC 12-8-1.5-1.  
20          (e) Not later than October 1, 2024, the legislative services agency  
21          shall prepare and submit a report to the legislative council in an  
22          electronic format under IC 5-14-6 concerning the transition of  
23          providing Medicaid reimbursement to legally responsible  
24          individuals for the provision of attendant care services under a  
25          home and community based services Medicaid waiver, as in effect  
26          January 1, 2024, to instead provide for attendant care services by  
27          legally responsible individuals under the structured family

1        **caregiving program, or another program administered by the**  
2        **office. The report must include at least the following information:**

3            **(1) An assessment of whether the structured family caregiving**  
4            **program, or another program administered by the office, to**  
5            **which the provision of attendant care services by legally**  
6            **responsible individuals is transitioned, will provide for**  
7            **substantially similar benefits and coverage of activities as was**  
8            **provided to legally responsible individuals for the provision**  
9            **of attendant care services under a home and community**  
10           **based services Medicaid waiver, as in effect January 1, 2024.**

11           **(2) An assessment of whether an adequate provider network**  
12           **is available when the provision of attendant care services by**  
13           **legally responsible individuals is transitioned to the structured**  
14           **family caregiving program, or another program administered**  
15           **by the office.**

16           **(3) A review of the ability of a legally responsible individual**  
17           **providing attendant care services under the structured family**  
18           **caregiving program, or another program administered by the**  
19           **office, to obtain insurance for pediatric services.**

20        **(f) This SECTION expires July 1, 2026."**

21        **Renumber all SECTIONS consecutively.**

**(Reference is to SB 4 as reprinted January 23, 2024.)**