



March 22, 2019

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# ENGROSSED HOUSE BILL No. 1007

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DIGEST OF HB 1007 (Updated March 20, 2019 11:25 am - DI 133)

**Citations Affected:** IC 16-35; IC 25-1.

**Synopsis:** Perinatal care. Requires the state department of health (department) to establish a perinatal navigator program. Requires a health care provider to: (1) use a validated and evidence based verbal screening tool to assess a substance use disorder in pregnancy for all pregnant women who are seen by the health care provider; and (2) if the health care provider identifies a pregnant woman who has a substance use disorder and is not currently receiving treatment, provide treatment or refer the patient to treatment. Requires the department to establish guidelines for health care providers treating substance use disorder in pregnancy. Adds the department of child services to the list of agencies to which a health care provider may not release the results of certain tests given to a pregnant woman.

**Effective:** July 1, 2019.

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**Kirchhofer, Sullivan, McNamara,  
Shackleford, DeVon, Bacon**

(SENATE SPONSORS — CHARBONNEAU, CRIDER)

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January 7, 2019, read first time and referred to Committee on Public Health.

January 17, 2019, reported — Do Pass.

January 22, 2019, read second time, ordered engrossed.

January 23, 2019, engrossed.

January 24, 2019, read third time, passed. Yeas 99, nays 0.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Health and Provider Services.

March 21, 2019, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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EH 1007—LS 7432/DI 77





March 22, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1007

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-35-1-11 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]: **Sec. 11. The state department shall establish a perinatal  
4 navigator program for the purposes of engaging pregnant women  
5 in early prenatal care and providing referrals to pregnant women  
6 for wraparound services and home visiting programs in the local  
7 community.**

8 SECTION 2. IC 16-35-11 IS ADDED TO THE INDIANA CODE  
9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2019]:

11 **Chapter 11. Assessment of Substance Use Disorder in  
12 Pregnancy**

13 **Sec. 1. Nothing in this chapter may be construed to authorize  
14 violation of the confidentiality requirements of any state or federal  
15 law.**

16 **Sec. 2. This chapter applies only to health care providers who  
17 provide maternity health care services.**

**EH 1007—LS 7432/DI 77**



1           **Sec. 3. Each health care provider shall use a validated and**  
 2 **evidence based verbal screening tool to assess a substance use**  
 3 **disorder in pregnancy for all pregnant women who are seen by the**  
 4 **health care provider:**

- 5           (1) as early as possible at the onset of prenatal care; and  
 6           (2) throughout the pregnancy, including during the first,  
 7           second, and third trimester.

8           **Sec. 4. (a) The state department shall establish guidelines for**  
 9 **health care providers treating substance use disorder in pregnancy.**  
 10 **When developing the guidelines, the state department shall consult**  
 11 **with the Indiana perinatal quality improvement collaborative.**

12           **(b) The state department shall make the guidelines established**  
 13 **under subsection (a) available on the state department's Internet**  
 14 **web site.**

15           **Sec. 5. If, after using the screening tool under section 3(1) of this**  
 16 **chapter, a health care provider identifies a pregnant woman who**  
 17 **has a substance use disorder and is not currently receiving**  
 18 **treatment, the health care provider shall:**

- 19           (1) provide treatment to the patient; or  
 20           (2) refer the patient to treatment.

21           SECTION 3. IC 25-1-9-22, AS AMENDED BY P.L.129-2018,  
 22 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2019]: Sec. 22. (a) This section applies to:

- 24           (1) a physician licensed under IC 25-22.5;  
 25           (2) a physician assistant licensed under IC 25-27.5;  
 26           (3) a certified direct entry midwife licensed under IC 25-23.4; and  
 27           (4) an advanced practice registered nurse licensed under  
 28           IC 25-23;

29 who provides prenatal care within the scope of the provider's license.

30           (b) Unless ordered by a court, an individual described in subsection  
 31 (a) may not release to a law enforcement agency (as defined in  
 32 IC 35-47-15-2) or the department of child services (established by  
 33 IC 31-25-1-1) the results of:

- 34           (1) a verbal screening or questioning concerning drug or alcohol  
 35           use;  
 36           (2) a urine test; or  
 37           (3) a blood test;

38 provided to a pregnant woman without the pregnant woman's consent.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1007 as introduced.)

KIRCHHOFFER

Committee Vote: Yeas 13, Nays 0

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1007, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1007 as printed January 18, 2019.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 9, Nays 0

