



March 1, 2024

ENGROSSED HOUSE BILL No. 1067

DIGEST OF HB 1067 (Updated February 28, 2024 9:56 am - DI 140)

Citations Affected: IC 12-9; IC 12-10; IC 12-11.

Synopsis: IDD task force and program oversight boards. Amends the membership of and provisions concerning: (1) the Indiana state commission on aging; and (2) the community and home options to institutional care for the elderly and disabled board. Requires the services for individuals with intellectual and other developmental disabilities task force (task force) to establish, not later than May 1, 2024, a subcommittee to make recommendations to the task force regarding the Medicaid buy-in program and benefit related barriers to employment for individuals with intellectual and developmental disabilities. Requires the subcommittee to prepare and submit recommendations to the task force not later than October 1, 2024. Changes the expiration date of the task force from December 31, 2025, to December 31, 2024. Requires the division of disability and rehabilitative services to provide quarterly updates to the division of disability and rehabilitative services advisory council regarding the implementation of recommendations made by the task force.

Effective: Upon passage; January 1, 2025.

Clere, Behning, Porter, Campbell

(SENATE SPONSORS — BOHACEK, BECKER, YODER, BREAUX)

January 8, 2024, read first time and referred to Committee on Public Health.
January 30, 2024, amended, reported — Do Pass.
February 1, 2024, read second time, ordered engrossed. Engrossed.
February 5, 2024, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 12, 2024, read first time and referred to Committee on Health and Provider Services.
February 29, 2024, reported favorably — Do Pass.

EH 1067—LS 6713/DI 147



March 1, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1067

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

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

1 SECTION 1. IC 12-9-5-3.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2025]: **Sec. 3.5. (a) The division shall provide to the**
4 **division of disability and rehabilitative services advisory council**
5 **established by IC 12-9-4-2 quarterly updates regarding the**
6 **implementation of the recommendations made by the services for**
7 **individuals with intellectual and other developmental disabilities**
8 **task force under IC 12-11-15.5 (before its expiration).**
9 **(b) This section expires December 31, 2027.**
10 SECTION 2. IC 12-10-2-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The
12 commission consists of sixteen (16) members.
13 (b) Not more than eight (8) members may be from the same political
14 party. The members must be Indiana residents who are interested in the
15 problems of the aging and the aged.
16 (c) The governor shall appoint the members of the commission
17 using the following ~~geographical distribution formula:~~

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- 1 (+) One (+) member from each congressional district.
 2 (2) ~~The balance of the members appointed at large. to ensure that~~
 3 **the commission includes members representing the area**
 4 **agencies on aging as follows:**
 5 **(1) Three (3) members from the region served by Area 1**
 6 **through Area 5.**
 7 **(2) Three (3) members from the region served by Area 6**
 8 **through Area 9.**
 9 **(3) Three (3) members from the region served by Area 10**
 10 **through Area 16.**

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

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

- 14 **(1) the executive director of the Indiana housing and**
 15 **community development authority or the executive director's**
 16 **designee;**
 17 **(2) at least one (1) member who is a:**
 18 **(A) direct provider of; or**
 19 **(B) service worker employed to provide;**
 20 **services provided through the division;**
 21 **(3) at least one (1) member who is:**
 22 **(A) a recipient; or**
 23 **(B) the caregiver of a recipient;**
 24 **of services provided through the division; and**
 25 **(4) one (1) citizen nominated by one (1) or more organizations**
 26 **that:**
 27 **(A) represent individuals with mental illness; and**
 28 **(B) have statewide membership.**

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

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

36 (c) **A member of the commission serves at the will of the**
 37 **governor.** The governor may terminate the appointment of a member
 38 of the commission by notifying the member, the chairman of the
 39 commission, and the director.

40 SECTION 4. IC 12-10-11-2, AS AMENDED BY P.L.32-2021,
 41 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 UPON PASSAGE]: Sec. 2. (a) The board consists of the following



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



1 designee.

2 **(12) One (1) citizen nominated by one (1) or more**
 3 **organizations that:**

4 **(A) represent direct service workers; and**

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

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

12 (b) The members of the board designated by subsection (a)(3)
 13 through (a)(8) shall be appointed by the governor for terms of four (4)
 14 years. **The initial term of the member appointed under subsection**
 15 **(a)(12) is three (3) years and the length of each successive term is**
 16 **four (4) years.** The term of a member of the board expires July 1, as
 17 follows:

18 **(1) For a member appointed under subsection (a)(3) through**
 19 **(a)(5), June 30, 2025, and every fourth year thereafter.**

20 **(2) For a member appointed under subsection (a)(6) through**
 21 **(a)(8), June 30, 2027, and every fourth year thereafter.**

22 **(3) For the member appointed under subsection (a)(12), June**
 23 **30, 2027, and every fourth year thereafter.**

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

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

31 (1) the area agencies on aging; and

32 (2) all organizations, associations, and nongovernmental agencies
 33 that work with the division on home care issues and programs.

34 SECTION 5. IC 12-11-15.5-4.8 IS ADDED TO THE INDIANA
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE UPON PASSAGE]: **Sec. 4.8. (a) As used in this section,**
 37 **"buy-in program" refers to the Medicaid buy-in program for**
 38 **working individuals with disabilities established by IC 12-15-41-3.**

39 **(b) Not later than May 1, 2024, the task force shall establish a**
 40 **subcommittee of task force members to make recommendations to**
 41 **the task force regarding the following:**

42 **(1) Modifications to the buy-in program to eliminate barriers**



1 to employment and independence for individuals with
2 intellectual and developmental disabilities.
3 **(2) Modifications to the buy-in program sliding scale of**
4 **premiums to increase workforce participation for individuals**
5 **participating in the buy-in program.**
6 **(3) How to reduce other public benefit related barriers to**
7 **employment and independence for individuals with**
8 **intellectual and developmental disabilities.**
9 **(c) Not later than October 1, 2024, the subcommittee shall**
10 **prepare and submit recommendations made by the subcommittee**
11 **to the task force.**
12 SECTION 6. IC 12-11-15.5-6, AS ADDED BY P.L.262-2019,
13 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 UPON PASSAGE]: Sec. 6. This chapter expires December 31, ~~2025~~.
15 **2024.**
16 SECTION 7. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1067, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 12-10-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The commission consists of sixteen (16) members.

(b) Not more than eight (8) members may be from the same political party. The members must be Indiana residents who are interested in the problems of the aging and the aged.

(c) The governor shall appoint the members of the commission using the following geographical distribution formula:

(1) ~~One (1) member from each congressional district.~~

(2) ~~The balance of the members appointed at large.~~ **to ensure that the commission includes members representing the area agencies on aging as follows:**

(1) Three (3) members from the region served by Area 1 through Area 5.

(2) Three (3) members from the region served by Area 6 through Area 9.

(3) Three (3) members from the region served by Area 10 through Area 16.

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

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

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

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

(A) direct provider of; or

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

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

(A) a recipient; or

(B) the caregiver of a recipient; of services provided through the division; and

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

(A) represent individuals with mental illness; and

(B) have statewide membership.



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

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

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

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

- (1) The director of the division of aging or the director's designee.
- (2) The chairman of the Indiana state commission on aging or the chairman's designee.
- (3) Three (3) citizens nominated by two (2) or more organizations that:

- (A) represent senior citizens; and
- (B) have statewide membership.

At least one (1) of the members appointed under this subdivision must be a recipient, or the caregiver of a recipient, of services provided under IC 12-10-10.

- (4) One (1) citizen nominated by one (1) or more organizations that:
 - (A) represent individuals with disabilities, including individuals who are less than eighteen (18) years of age; and
 - (B) have statewide membership.

- (5) One (1) citizen nominated by one (1) or more organizations that:
 - (A) represent individuals with mental illness; ~~including dementia~~; and
 - (B) have statewide membership.

- (6) One (1) provider who provides services under IC 12-10-10.
- (7) One (1) licensed physician, physician assistant, or registered nurse who specializes either in the field of gerontology or in the field of disabilities.
- (8) Two (2) home care services advocates or policy specialists nominated by two (2) or more:
 - (A) organizations;



(B) associations; or

(C) nongovernmental agencies;

that advocate on behalf of home care consumers, including an organization listed in subdivision (3) that represents senior citizens or persons with disabilities.

(9) Two (2) members of the senate, who may not be members of the same political party, appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.

(10) Two (2) members of the house of representatives, who may not be members of the same political party, appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(11) The executive director of the Indiana housing and community development authority or the executive director's designee.

(12) One (1) citizen nominated by one (1) or more organizations that:

(A) represent direct service workers; and

(B) have statewide membership.

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

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

(1) For a member appointed under subsection (a)(3) through (a)(5), June 30, 2025, and every fourth year thereafter.

(2) For a member appointed under subsection (a)(6) through (a)(8), June 30, 2027, and every fourth year thereafter.

(3) For the member appointed under subsection (a)(12), June 30, 2027, and every fourth year thereafter.

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

(c) The division shall establish notice and selection procedures to



notify the public of the board's nomination process described in this chapter. Information must be distributed through:

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

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1067 as introduced.)

BARRETT

Committee Vote: yeas 8, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1067, 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.

(Reference is to HB 1067 as printed January 30, 2024.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 11, Nays 0

