

HOUSE BILL No. 1093

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-35-9.

Synopsis: Information concerning certain disabilities. Requires the state department of health to collect certain information to be disseminated by health facilities and health care providers to parents who receive prenatal or postnatal test results for Down syndrome or any other disability.

Effective: July 1, 2015.

Bacon

January 6, 2015, read first time and referred to Committee on Public Health.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1093



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 16-35-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2015]:
4 **Chapter 9. Down Syndrome and Other Disabilities Diagnosed**
5 **by Prenatal and Postnatal Tests**
6 **Sec. 1. The state department shall identify current, evidence**
7 **based, written information that concerns the prenatal and**
8 **postnatal diagnosis of Down syndrome and any other disability and**
9 **that meets all the following criteria:**
10 **(1) The information has been reviewed by medical experts and**
11 **national and local disability organizations.**
12 **(2) The information is designed for use by an expectant parent**
13 **or parent who receives a prenatal or postnatal test result for**
14 **Down syndrome or any other disability.**
15 **(3) The information does not engage in discrimination based**



1 on disability or genetic variation by explicitly or implicitly
 2 representing pregnancy termination as a neutral or
 3 acceptable option when a prenatal test indicates a probability
 4 or diagnosis that the unborn child has Down syndrome or any
 5 other disability.

6 (4) The information is culturally and linguistically
 7 appropriate for potential recipients of the information and
 8 includes all the following:

9 (A) Information addressing:

- 10 (i) physical, developmental, educational, and
- 11 psychosocial outcomes;
- 12 (ii) life expectancy;
- 13 (iii) clinical course;
- 14 (iv) intellectual and functional development;
- 15 (v) educational options; and
- 16 (vi) treatment options;

17 for individuals with Down syndrome or any other
 18 disability.

19 (B) A brief description and contact information for
 20 national and local Down syndrome and other disability
 21 education and support programs and services, including
 22 information hotlines, resource centers, and clearinghouses.

23 Sec. 2. The state department shall do the following:

24 (1) Provide the information identified under section 1 of this
 25 chapter to:

- 26 (A) health care facilities and health care providers that
- 27 furnish prenatal care, postnatal care, or genetic counseling
- 28 to expectant parents who receive a prenatal test result for
- 29 Down syndrome or any other disability; and
- 30 (B) parents of a child diagnosed with Down syndrome or
- 31 any other disability.

32 (2) Make available the information identified under section 1
 33 of this chapter on the state department's Internet web site.

34 Sec. 3. When a positive result from a test for Down syndrome or
 35 any other disability is received, a health care facility or health care
 36 provider shall provide to the expectant parent or the parent of the
 37 child diagnosed with Down syndrome or any other disability the
 38 written information provided or made available by the state
 39 department under section 2 of this chapter.

40 Sec. 4. (a) The information provided under this chapter must be
 41 culturally and linguistically appropriate for the recipient of the
 42 information.



1 **(b) The information provided under this chapter may not**
2 **engage in discrimination based on disability or genetic variation by**
3 **explicitly or implicitly presenting pregnancy termination as a**
4 **neutral or acceptable option when a prenatal test indicates a**
5 **probability or diagnosis that the unborn child has Down syndrome**
6 **or any other disability.**

