



February 3, 2015

HOUSE BILL No. 1093

DIGEST OF HB 1093 (Updated February 2, 2015 1:22 pm - DI 77)

Citations Affected: IC 16-35.

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 test results for Down syndrome or any other condition diagnosed prenatally.

Effective: July 1, 2015.

Bacon, Clere, Mayfield, Shackelford

January 6, 2015, read first time and referred to Committee on Public Health.
February 2, 2015, amended, reported — Do Pass.

HB 1093—LS 6798/DI 77



February 3, 2015

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 Conditions Diagnosed**
5 **Prenatally**

6 **Sec. 1. (a) The state department shall identify current, evidence**
7 **based, written information that concerns the prenatal diagnosis of**
8 **Down syndrome and any other condition diagnosed prenatally that**
9 **meets all the following criteria:**

10 **(1) The information is designed for use by an expectant parent**
11 **or parent who receives a prenatal test result for Down**
12 **syndrome or any other condition diagnosed prenatally.**

13 **(2) The information does not implicitly or explicitly reference**
14 **pregnancy termination.**

15 **(3) The information is culturally and linguistically**

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1 appropriate for potential recipients of the information.

2 (4) The information includes brief description and contact
3 information for state and local advocacy organizations that
4 advocate for people with intellectual and other developmental
5 disabilities, including Down syndrome and other conditions
6 diagnosed prenatally. The information may include
7 information hotlines, resource centers, Internet web sites, and
8 clearinghouses.

9 (b) The state department may approve material submitted by
10 state and local advocacy organizations that advocate for people
11 with intellectual and other developmental disabilities, including
12 Down syndrome and other conditions diagnosed prenatally, if the
13 information meets the criteria required in subsection (a). The
14 information may include information hotlines, resource centers,
15 Internet web sites, and clearinghouses.

16 **Sec. 2. The state department shall do the following:**

17 (1) Approve the information identified under section 1 of this
18 chapter for use by:

19 (A) health care facilities and health care providers that
20 furnish prenatal care or genetic counseling to expectant
21 parents who receive a prenatal test result for Down
22 syndrome or any other condition diagnosed prenatally;
23 and

24 (B) parents of a child diagnosed with Down syndrome or
25 any other condition diagnosed prenatally.

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

28 **Sec. 3. When a positive result from a test for Down syndrome or**
29 **any other condition diagnosed prenatally is received, a health care**
30 **facility or health care provider shall provide to the expectant**
31 **parent or the parent of the child diagnosed with Down syndrome**
32 **or any other condition diagnosed prenatally the written**
33 **information approved and made available by the state department**
34 **under section 2 of this chapter.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1093, 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, line 4, delete "Disabilities Diagnosed" and insert "**Conditions Diagnosed Prenatally**".

Page 1, delete line 5.

Page 1, line 6, after "1." insert "(a)".

Page 1, line 7, delete "and".

Page 1, line 8, delete "postnatal".

Page 1, line 8, delete "disability and" and insert "**condition diagnosed prenatally**".

Page 1, delete lines 10 through 11.

Page 1, line 12, delete "(2)" and insert "(1)".

Page 1, line 13, delete "or postnatal".

Page 1, line 14, delete "disability." and insert "**condition diagnosed prenatally.**".

Page 1, line 15, delete "(3)" and insert "(2)".

Page 1, line 15, delete "engage in discrimination based" and insert "**implicitly or explicitly reference pregnancy termination.**".

Page 2, delete lines 1 through 5.

Page 2, line 6, delete "(4)" and insert "(3)".

Page 2, line 7, delete "and" and insert ".".

Page 2, delete lines 8 through 18.

Page 2, line 19, delete "(B) A", begin a new line block indented and insert:

"(4) The information includes".

Page 2, line 19, after "for" insert "**state and local advocacy organizations that advocate for people with intellectual and other developmental disabilities, including Down syndrome and other conditions diagnosed prenatally. The information may include information hotlines, resource centers, Internet web sites, and clearinghouses.**".

Page 2, delete lines 20 through 22, begin a new paragraph and insert:

"(b) The state department may approve material submitted by state and local advocacy organizations that advocate for people with intellectual and other developmental disabilities, including Down syndrome and other conditions diagnosed prenatally, if the information meets the criteria required in subsection (a). The



information may include information hotlines, resource centers, Internet web sites, and clearinghouses."

Page 2, line 24, delete "Provide" and insert "**Approve**".

Page 2, line 25, delete "to:" and insert "**for use by:**".

Page 2, line 27, delete ", postnatal care,".

Page 2, line 29, delete "disability;" and insert "**condition diagnosed prenatally;**".

Page 2, line 31, delete "disability." and insert "**condition diagnosed prenatally.**".

Page 2, line 35, delete "disability" and insert "**condition diagnosed prenatally**".

Page 2, line 37, delete "disability" and insert "**condition diagnosed prenatally**".

Page 2, line 38, delete "provided or" and insert "**approved and**".

Page 2, delete lines 40 through 42.

Delete page 3.

and when so amended that said bill do pass.

(Reference is to HB 1093 as introduced.)

CLERE

Committee Vote: yeas 12, nays 0.

