

HOUSE BILL No. 1173

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-8.

Synopsis: Insurance for student athletes. Requires certain high schools to provide insurance coverage for catastrophic accidents of student athletes. Allows public elementary schools to purchase insurance coverage for accidents of students participating in athletic events.

Effective: July 1, 2014.

Harris, Shackelford

January 13, 2014, read first time and referred to Committee on Education.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1173

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

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

1 SECTION 1. IC 20-34-8 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]:
4 **Chapter 8. Student Athlete Injury Insurance**
5 **Sec. 1. As used in this chapter, "association" has the meaning set**
6 **forth in IC 20-26-14-1.**
7 **Sec. 2. As used in this chapter, "catastrophic accident" means**
8 **an accident resulting in an injury that:**
9 (1) is sustained by a student athlete while participating in a
10 school sponsored or school supervised interscholastic athletic
11 event that is sanctioned by an association, including:
12 (A) direct, uninterrupted travel to and from; and
13 (B) a temporary stay at the location of;
14 an athletic event held away from the student's school; and
15 (2) results in medical expenses that exceed fifty thousand
16 dollars (\$50,000).



1 **Sec. 3. As used in this chapter, "catastrophic coverage" means**
 2 **insurance or self-insurance coverage, with aggregate benefit limits**
 3 **of:**

4 **(1) five (5) years; or**

5 **(2) three million dollars (\$3,000,000);**

6 **whichever occurs first, for damages resulting from one (1) or more**
 7 **catastrophic accidents.**

8 **Sec. 4. As used in this chapter, "student athlete" means a**
 9 **student in high school who participates in a school sponsored or**
 10 **school supervised interscholastic athletic event that is sanctioned**
 11 **by an association.**

12 **Sec. 5. A public school or nonpublic school that:**

13 **(1) is a high school; and**

14 **(2) does not require a student athlete to maintain coverage**
 15 **under an individual or group policy of accident and sickness**
 16 **insurance (as defined in IC 27-8-5-1);**

17 **shall maintain catastrophic coverage to apply in excess of any other**
 18 **coverage or benefit that applies to an injury that results from a**
 19 **catastrophic accident.**

20 **Sec. 6. (a) The department, in cooperation with an association,**
 21 **shall:**

22 **(1) establish coverage specifications that must be met by an**
 23 **insurance policy or self-insurance plan that provides**
 24 **catastrophic coverage in compliance with this chapter; and**

25 **(2) provide a group insurance policy to provide catastrophic**
 26 **coverage as required by section 5 of this chapter to any public**
 27 **school or nonpublic school described in section 5 of this**
 28 **chapter that elects coverage under the group insurance policy.**

29 **(b) If a public school or nonpublic school described in section 5**
 30 **of this chapter elects not to purchase catastrophic coverage under**
 31 **the group insurance policy provided under subsection (a)(2), the**
 32 **public school or nonpublic school shall, at least sixty (60) days**
 33 **before catastrophic coverage begins, do one (1) of the following:**

34 **(1) Submit to the department a certificate of catastrophic**
 35 **coverage from the issuer of another insurance policy chosen**
 36 **by the public or nonpublic school.**

37 **(2) If a public school is located in a city with more than five**
 38 **hundred thousand (500,000) inhabitants, submit to the**
 39 **department a certificate of self-insurance that provides**
 40 **catastrophic coverage according to the specifications**
 41 **established under subsection (a)(1).**

42 **Sec. 7. (a) A public school that is an elementary school may**



1 provide coverage under a group policy of accident and sickness
2 insurance (as defined in IC 27-8-5-1) or a health maintenance
3 organization group contract (as defined in IC 27-13-1-16) that
4 covers students of the public school who are injured while
5 participating in an athletic activity under the jurisdiction of or
6 sponsored or controlled by the school corporation.
7 (b) Any part of the cost of coverage described in subsection (a)
8 that is paid by the public school must, to the extent possible, be
9 paid from money derived from athletic activities, with any
10 additional cost paid from the educational funds of the school
11 corporation.

