

# HOUSE BILL No. 1218

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2; IC 12-8-15; IC 12-17.6-1-6; IC 31-9-2-31.

**Synopsis:** Health workforce student loan repayment program. Establishes the following: (1) The health workforce student loan repayment program (program). (2) The health workforce student loan repayment program commission (commission). (3) The health workforce student loan repayment program fund (fund) for the purpose of providing funds to repay outstanding student loans of certain health providers who meet the program requirements. Establishes: (1) the imposition of fees at the time a license is issued or renewed for certain health profession licenses; and (2) qualifications to receive a student loan repayment award under the program. Provides that the commission shall, at the end of each state fiscal year, make student loan repayment awards under the program in an amount determined by the commission to an eligible applicant who met the program requirements during that state fiscal year. Provides that, if a recipient of a student loan repayment award does not fulfill the obligations of the agreement between the recipient and the commission, the recipient is required to repay in a timely fashion, as determined by the commission, the total amount of the student loan repayment award that the recipient received. Requires, not later than July 1, 2021, and not later than July 1 every two years thereafter, the commission to submit a report concerning the program and fund to the governor and the general assembly. Appropriates \$500,000 to the commission from the state general fund.

**Effective:** July 1, 2019.

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January 10, 2019, read first time and referred to Committee on Ways and Means.

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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.

# HOUSE BILL \_\_\_\_\_

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 12-7-2-22, AS AMENDED BY P.L.86-2018,  
2 SECTION 152, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2019]: Sec. 22. "Board" means the following:  
4 **(1) For purposes of IC 12-8-15, the meaning set forth in**  
5 **IC 12-8-15-1.**  
6 ~~(1)~~ **(2)** For purposes of IC 12-10-10 and IC 12-10-11, the  
7 community and home options to institutional care for the elderly  
8 and disabled board established by IC 12-10-11-1.  
9 ~~(2)~~ **(3)** For purposes of IC 12-11-14, the meaning set forth in  
10 IC 12-11-14-3.  
11 ~~(3)~~ **(4)** For purposes of IC 12-12-7-5, the meaning set forth in  
12 IC 12-12-7-5(a).  
13 ~~(4)~~ **(5)** For purposes of IC 12-15-35, the meaning set forth in  
14 IC 12-15-35-2.  
15 SECTION 2. IC 12-7-2-34, AS AMENDED BY P.L.85-2017,  
16 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2019]: Sec. 34. "Commission" means the following:



- 1           **(1) For purposes of IC 12-8-15, the meaning set forth in**  
 2           **IC 12-8-15-2.**  
 3           ~~(1)~~ **(2)** For purposes of IC 12-10-2, the meaning set forth in  
 4           IC 12-10-2-1.  
 5           ~~(2)~~ **(3)** For purposes of IC 12-12-2, the meaning set forth in  
 6           IC 12-12-2-1.  
 7           ~~(3)~~ **(4)** For purposes of IC 12-13-14, the meaning set forth in  
 8           IC 12-13-14-1.  
 9           ~~(4)~~ **(5)** For purposes of IC 12-28-1, the meaning set forth in  
 10          IC 12-28-1-3.

11          SECTION 3. IC 12-7-2-91, AS AMENDED BY P.L.184-2017,  
 12          SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13          JULY 1, 2019]: Sec. 91. "Fund" means the following:

- 14          **(1) For purposes of IC 12-8-15, the meaning set forth in**  
 15          **IC 12-8-15-3.**  
 16          ~~(1)~~ **(2)** For purposes of IC 12-12-1-9, the fund described in  
 17          IC 12-12-1-9.  
 18          ~~(2)~~ **(3)** For purposes of IC 12-15-20, the meaning set forth in  
 19          IC 12-15-20-1.  
 20          ~~(3)~~ **(4)** For purposes of IC 12-17-12, the meaning set forth in  
 21          IC 12-17-12-4.  
 22          ~~(4)~~ **(5)** For purposes of IC 12-17.6, the meaning set forth in  
 23          IC 12-17.6-1-3.  
 24          ~~(5)~~ **(6)** For purposes of IC 12-23-2, the meaning set forth in  
 25          IC 12-23-2-1.  
 26          ~~(6)~~ **(7)** For purposes of IC 12-23-18, the meaning set forth in  
 27          IC 12-23-18-4.  
 28          ~~(7)~~ **(8)** For purposes of IC 12-24-6, the meaning set forth in  
 29          IC 12-24-6-1.  
 30          ~~(8)~~ **(9)** For purposes of IC 12-24-14, the meaning set forth in  
 31          IC 12-24-14-1.  
 32          ~~(9)~~ **(10)** For purposes of IC 12-30-7, the meaning set forth in  
 33          IC 12-30-7-3.

34          SECTION 4. IC 12-7-2-122.7 IS ADDED TO THE INDIANA  
 35          CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 36          [EFFECTIVE JULY 1, 2019]: **Sec. 122.7. "License", for purposes of**  
 37          **IC 12-8-15, has the meaning set forth in IC 12-8-15-4.**

38          SECTION 5. IC 12-7-2-146, AS AMENDED BY P.L.130-2018,  
 39          SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40          JULY 1, 2019]: Sec. 146. "Program" refers to the following:

- 41          **(1) For purposes of IC 12-8-15, the meaning set forth in**  
 42          **IC 12-8-15-5.**



- 1           (†) **(2)** For purposes of IC 12-10-7, the adult guardianship  
 2 services program established by IC 12-10-7-5.  
 3           (‡) **(3)** For purposes of IC 12-10-10, the meaning set forth in  
 4 IC 12-10-10-5.  
 5           (§) **(4)** For purposes of IC 12-17.2-2-14.2, the meaning set forth  
 6 in IC 12-17.2-2-14.2(a).  
 7           (¶) **(5)** For purposes of IC 12-17.6, the meaning set forth in  
 8 IC 12-17.6-1-5.  
 9           SECTION 6. IC 12-7-2-149.1, AS AMENDED BY THE  
 10 TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL  
 11 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2019]: Sec. 149.1. "Provider" means the following:  
 13           **(1) For purposes of IC 12-8-15, the meaning set forth in**  
 14 **IC 12-8-15-6.**  
 15           (†) **(2)** For purposes of IC 12-10-7, the meaning set forth in  
 16 IC 12-10-7-3.  
 17           (‡) **(3)** For purposes of the following statutes, an individual, a  
 18 partnership, a corporation, or a governmental entity that is  
 19 enrolled in the Medicaid program under rules adopted under  
 20 IC 4-22-2 by the office of Medicaid policy and planning:  
 21           (A) IC 12-14-1 through ~~IC 12-14-9.5~~; **IC 12-14-8.**  
 22           (B) IC 12-15, except IC 12-15-32, IC 12-15-33, and  
 23 IC 12-15-34.  
 24           (C) IC 12-17.6.  
 25           (§) **(4)** Except as provided in subdivisions (†) **(5)** and (¶) **(7)**, for  
 26 purposes of IC 12-17.2, a person who operates a child care center  
 27 or child care home under IC 12-17.2.  
 28           (¶) **(5)** For purposes of IC 12-17.2-3.5, a person that:  
 29           (A) provides child care; and  
 30           (B) is directly paid for the provision of the child care under the  
 31 federal Child Care and Development Fund voucher program  
 32 administered under 45 CFR 98 and 45 CFR 99.  
 33           The term does not include an individual who provides services to  
 34 a person described in clauses (A) and (B), regardless of whether  
 35 the individual receives compensation.  
 36           (§) **(6)** For purposes of IC 12-21-1 through IC 12-29-2, an  
 37 organization:  
 38           (A) that:  
 39           (i) provides mental health services, as defined under 42  
 40 U.S.C. 300x-2(c);  
 41           (ii) provides addiction services; or  
 42           (iii) provides children's mental health services;



1 (B) that has entered into a provider agreement with the  
 2 division of mental health and addiction under IC 12-21-2-7 to  
 3 provide services in the least restrictive, most appropriate  
 4 setting; and

5 (C) that is operated by one (1) of the following:

6 (i) A city, town, county, or other political subdivision of the  
 7 state.

8 (ii) An agency of the state or of the United States.

9 (iii) A political subdivision of another state.

10 (iv) A hospital owned or operated by a unit of government  
 11 or a building authority that is organized for the purpose of  
 12 constructing facilities to be leased to units of government.

13 (v) A corporation incorporated under IC 23-7-1.1 (before its  
 14 repeal August 1, 1991) or IC 23-17.

15 (vi) An organization that is exempt from federal income  
 16 taxation under Section 501(c)(3) of the Internal Revenue  
 17 Code.

18 (vii) A university or college.

19 ~~(6)~~ (7) For purposes of IC 12-17.2-2-10, the following:

20 (A) A person described in subdivision ~~(4)~~: (5).

21 (B) A child care center licensed under IC 12-17.2-4.

22 (C) A child care home licensed under IC 12-17.2-5.

23 SECTION 7. IC 12-7-2-199.2, AS AMENDED BY P.L.225-2013,  
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2019]: Sec. 199.2. "Volunteer", for purposes of IC 12-17.2,  
 26 means an individual who, without compensation, provides services to  
 27 a child care home, child care center, provider (as defined in section  
 28 ~~149.1(4)~~ 149.1(5) of this chapter), or child care ministry for at least  
 29 eight (8) hours per month.

30 SECTION 8. IC 12-8-15 IS ADDED TO THE INDIANA CODE AS  
 31 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 32 1, 2019]:

33 **Chapter 15. Health Workforce Student Loan Repayment**  
 34 **Program**

35 **Sec. 1. As used in this chapter, "board" refers to an entity**  
 36 **described in IC 25-0.5-11.**

37 **Sec. 2. As used in this chapter, "commission" refers to the**  
 38 **health workforce student loan repayment program commission**  
 39 **established by section 8 of this chapter.**

40 **Sec. 3. As used in this chapter, "fund" refers to the health**  
 41 **workforce student loan repayment program fund established by**  
 42 **section 9 of this chapter.**



1           **Sec. 4. As used in this chapter, "license" means:**

- 2           (1) an unlimited license, permit, certificate, or certificate of  
3 registration;  
4           (2) a temporary, limited, or probationary license, permit,  
5 certificate, or certificate of registration;  
6           (3) an intern permit; or  
7           (4) a provisional license;

8 issued by a board.

9           **Sec. 5. As used in this chapter, "program" refers to the health**  
10 **workforce student loan repayment program established by section**  
11 **7 of this chapter.**

12           **Sec. 6. As used in this chapter, "provider" means an individual**  
13 **licensed, certified, registered, or permitted by a board.**

14           **Sec. 7. (a) The health workforce student loan repayment**  
15 **program is established.**

16           **(b) The commission shall administer the program.**

17           **Sec. 8. (a) The health workforce student loan repayment**  
18 **program commission is established.**

19           **(b) The commission consists of the following members:**

- 20           (1) The secretary of family and social services or the  
21 secretary's designee.  
22           (2) The commissioner of the department of workforce  
23 development or the commissioner's designee.  
24           (3) The commissioner of the state department of health or the  
25 commissioner's designee.  
26           (4) The executive director of the Indiana professional  
27 licensing agency or the executive director's designee.  
28           (5) The superintendent of public instruction or the  
29 superintendent's designee.  
30           (6) The commissioner of the Indiana commission for higher  
31 education or the commissioner's designee.  
32           (7) A member of the Indiana commission to combat drug  
33 abuse.  
34           (8) One (1) representative from the Indiana Rural Health  
35 Association.  
36           (9) One (1) representative from the Indiana Primary Health  
37 Care Association.  
38           (10) One (1) representative from the Indiana Health Care  
39 Association.  
40           (11) One (1) provider from each profession that is licensed by  
41 a board.

42           **(c) The members under subsection (b)(7) through (b)(11) shall**



1 be appointed by the governor.

2 (d) If a vacancy occurs on the commission, the appointing  
3 authority that appointed the member whose position is vacant shall  
4 appoint an individual to fill the vacancy.

5 (e) The members shall annually elect a chairperson of the  
6 commission. The commission shall meet upon the call of the  
7 chairperson.

8 (f) The affirmative votes of a majority of the voting members  
9 appointed to the commission are required for the commission to  
10 take action.

11 (g) Each member of the commission who is not a state employee  
12 is entitled to the minimum salary per diem provided by  
13 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
14 for traveling expenses as provided under IC 4-13-1-4 and other  
15 expenses actually incurred in connection with the member's duties  
16 as provided in the state policies and procedures established by the  
17 Indiana department of administration and approved by the budget  
18 agency.

19 (h) The office of the secretary shall provide staff support to the  
20 commission.

21 **Sec. 9. (a)** The health workforce student loan repayment  
22 program fund is established for the purpose of providing funds to  
23 repay outstanding student loans of providers who meet the  
24 requirements under this chapter.

25 (b) The fund consists of the following:

26 (1) Appropriations made by the general assembly.

27 (2) Fees collected under section 10 of this chapter.

28 (3) Gifts, grants, devises, or bequests made to the commission  
29 to achieve the purposes of the fund.

30 (c) The commission shall administer the fund.

31 (d) The expenses of administering the fund shall be paid from  
32 money in the fund.

33 (e) Money in the fund is continuously appropriated to carry out  
34 the purposes of the fund.

35 (f) The commission shall establish a separate account within the  
36 fund for each board. On June 30, 2021, and on June 30 every two  
37 (2) years thereafter, any money in a separate account under this  
38 subsection reverts to the fund.

39 (g) The treasurer of state shall invest the money in the fund not  
40 currently needed to meet the obligations of the fund in the same  
41 manner as other public funds may be invested. Interest that  
42 accrues from these investments shall be deposited in the fund.



1           **(h) Money in the fund at the end of a state fiscal year does not**  
2 **revert to the state general fund but remains available to be used for**  
3 **the purposes of this chapter.**

4           **Sec. 10. (a) Beginning July 1, 2019, and ending June 30, 2021,**  
5 **and in addition to any other fee imposed for the issuance or**  
6 **renewal of a license, each board shall, at the time a license is issued**  
7 **or renewed, impose a fee in the following amounts:**

8               **(1) Five dollars (\$5) if a fee for the issuance or renewal of a**  
9 **license is less than fifty-one dollars (\$51).**

10              **(2) Ten dollars (\$10) if a fee for the issuance or renewal of a**  
11 **license is more than fifty dollars (\$50) but less than one**  
12 **hundred one dollars (\$101).**

13              **(3) Twenty dollars (\$20) if a fee for the issuance or renewal of**  
14 **a license is more than one hundred dollars (\$100).**

15           **(b) The commission shall, in coordination with each board,**  
16 **establish the amount of each fee that will be imposed under this**  
17 **chapter with the issuance or renewal of a license after June 30,**  
18 **2021.**

19           **(c) Beginning after June 30, 2021, and in addition to any other**  
20 **fee imposed for the issuance or renewal of a license, each board**  
21 **shall, at the time a license is issued or renewed, impose the fee**  
22 **established by the commission under subsection (b).**

23           **Sec. 11. (a) Each board shall deposit fees collected by the board**  
24 **under section 10 of this chapter into the fund.**

25           **(b) The commission shall determine the proportion of the total**  
26 **amount of fees collected under this chapter that will be transferred**  
27 **to each board's separate account for the repayment of student**  
28 **loans for the profession that the board licenses.**

29           **Sec. 12. (a) To be eligible to receive a student loan repayment**  
30 **award under this chapter, an applicant must meet the following:**

31               **(1) Apply on a form prescribed by the commission.**

32               **(2) Practice a profession that is licensed by a board.**

33               **(3) Have an outstanding student loan balance.**

34               **(4) Provide essential services to Indiana residents.**

35               **(5) Agree in writing to:**

36                   **(A) practice the applicable profession and provide essential**  
37 **services in Indiana for a specified number of years, as**  
38 **determined by the commission; and**

39                   **(B) meet any other requirements established by the**  
40 **commission.**

41               **(6) Meet any other requirements established by the**  
42 **commission.**





1           (b) The commission shall determine the amount of a student  
2 loan repayment award that an eligible applicant receives under this  
3 chapter.

4           (c) The commission shall, at the end of each state fiscal year,  
5 make student loan repayment awards under this chapter in an  
6 amount determined by the commission to an eligible applicant who  
7 met the requirements of this chapter during that state fiscal year.

8           (d) The commission may make student repayment awards under  
9 this chapter until the balance of the eligible applicant's student  
10 loans are paid in full.

11           Sec. 13. (a) A recipient of an award under this chapter who:

12               (1) received an award of student loan repayment under this  
13 chapter; and

14               (2) does not fulfill the obligations under the agreement  
15 described in section 12(a)(5) of this chapter;

16 shall repay in a timely fashion, as determined by the commission,  
17 the total amount of the student loan repayment award that the  
18 recipient received under this chapter.

19           (b) The commission may extend the length of time in which an  
20 individual must complete the requirements of an agreement  
21 described in section 12(a)(5) of this chapter if the individual  
22 submits a petition to the commission in a manner prescribed by the  
23 commission and the commission makes a determination that  
24 extenuating circumstances, as determined by the commission,  
25 prevented the individual from meeting the requirements described  
26 in section 12(a)(5) of this chapter.

27           (c) The commission may waive repayment under subsection (a)  
28 if the individual has been declared to be totally and permanently  
29 disabled under 34 CFR 685.213.

30           (d) The commission may enter into an agreement with the  
31 department of state revenue established by IC 6-8.1-2-1 or another  
32 third party vendor to assist in the enforcement of subsection (a).

33           Sec. 14. Each board shall provide information and make  
34 recommendations to the commission regarding areas of need for  
35 workforce and workforce development in the respective  
36 professions that the board licenses.

37           Sec. 15. (a) The commission shall prepare a report that includes  
38 the following:

39               (1) The receipt, disbursement, and uses of money from the  
40 fund and the separate accounts within the fund.

41               (2) The number of applications submitted for student loan  
42 repayment under the program.



- 1           **(3) The number and amount of student loan repayment**
- 2           **awards that have been provided by the commission.**
- 3           **(4) Any other information collected concerning the fund,**
- 4           **program, or student loan repayments awarded under this**
- 5           **chapter.**

6           **(b) Not later than July 1, 2021, and not later than July 1 every**  
 7           **two (2) years thereafter, the commission shall submit the report**  
 8           **described in subsection (a) to the following:**

- 9           **(1) The governor.**
- 10          **(2) The general assembly in an electronic format under**  
 11          **IC 5-14-6.**

12          **Sec. 16. The commission shall adopt rules under IC 4-22-2 to:**

- 13          **(1) establish the amount of fees that are required to be**  
 14          **collected under this chapter;**
- 15          **(2) establish eligibility requirements to receive student loan**  
 16          **repayment awards under the program; and**
- 17          **(3) otherwise administer the program.**

18          SECTION 9. IC 12-17.6-1-6 IS AMENDED TO READ AS  
 19          FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. "Provider" has the  
 20          meaning set forth in ~~IC 12-7-2-149.1(2)~~; **IC 12-7-2-149.1(3)**.

21          SECTION 10. IC 31-9-2-31, AS AMENDED BY P.L.195-2018,  
 22          SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23          JULY 1, 2019]: Sec. 31. (a) "Custodian", for purposes of the juvenile  
 24          law, means a person with whom a child resides.

25          (b) "Custodian", for purposes of IC 31-34-1, includes any person  
 26          who is:

- 27          (1) a license applicant or licensee of:
  - 28            (A) a foster home or residential child care facility that is
  - 29            required to be licensed or is licensed under IC 31-27;
  - 30            (B) a child care center that is required to be licensed or is
  - 31            licensed under IC 12-17.2-4; or
  - 32            (C) a child care home that is required to be licensed or is
  - 33            licensed under IC 12-17.2-5;
- 34          (2) a person who is responsible for care, supervision, or welfare
- 35          of children while providing services as an owner, operator,
- 36          director, manager, supervisor, employee, or volunteer at:
  - 37            (A) a home, center, or facility described in subdivision (1);
  - 38            (B) a child care ministry, as defined in IC 12-7-2-28.8, that is
  - 39            exempt from licensing requirements and is registered or
  - 40            required to be registered under IC 12-17.2-6;
  - 41            (C) a home, center, or facility of a child care provider, as
  - 42            defined in ~~IC 12-7-2-149.1(5)~~; **IC 12-7-2-149.1(6)**;



- 1 (D) a home, center, or facility that is the location of a program  
 2 that provides child care, as defined in section 16.3 of this  
 3 chapter, to serve migrant children and that is exempt from  
 4 licensing under IC 12-17.2-2-8(6), whether or not the program  
 5 is certified as described in IC 12-17.2-2-9; or  
 6 (E) a school, as defined in section 113.5 of this chapter;  
 7 (3) a child caregiver, as defined in section 16.4 of this chapter;  
 8 (4) a member of the household of the child's noncustodial parent;  
 9 or  
 10 (5) an individual who has or intends to have direct contact, on a  
 11 regular and continuing basis, with a child for whom the individual  
 12 provides care and supervision.
- 13 SECTION 11. [EFFECTIVE JULY 1, 2019] **(a) As used in this**  
 14 **SECTION, "commission" refers to the health workforce student**  
 15 **loan repayment program commission established by IC 12-8-15-8,**  
 16 **as added by this chapter.**
- 17 **(b) There is appropriated to the commission five hundred**  
 18 **thousand dollars (\$500,000) for the state fiscal year beginning July**  
 19 **1, 2019, and ending June 30, 2020, from the state general fund for**  
 20 **the commission's use in the administration of implementing the**  
 21 **health workforce student loan repayment program established by**  
 22 **IC 12-8-15-7, as added by this act.**
- 23 **(c) This SECTION expires July 1, 2021.**

