

# HOUSE BILL No. 1238

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2-32.5; IC 12-15-15.5.

**Synopsis:** Medicaid reimbursement for children's hospitals. Requires the office of the secretary of family and social services to establish a pilot program to reimburse under Medicaid a children's hospital located in Chicago, Illinois, for Medicaid covered services provided to a qualifying Medicaid recipient at the same reimbursement rate at which the office reimburses a children's hospital located in Indiana.

**Effective:** July 1, 2019.

---

---

## Soliday

---

---

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

---

---



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 No. 1238

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

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

1 SECTION 1. IC 12-7-2-32.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]: **Sec. 32.5. "Children's hospital", for purposes of**  
4 **IC 12-15-15.5, has the meaning set forth in IC 12-15-15.5-1.**

5 SECTION 2. IC 12-15-15.5 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2019]:

8 **Chapter 15.5. Out-of-State Children's Hospital Pilot Program**

9 **Sec. 1. As used in this chapter, "children's hospital" means a**  
10 **freestanding general acute care hospital that:**

11 **(1) is designated by the Medicare program as a children's**  
12 **hospital; or**

13 **(2) furnishes services to inpatients who are predominantly**  
14 **individuals less than eighteen (18) years of age, as determined**  
15 **using the same criteria used by the Medicare program to**  
16 **determine whether a hospital's services are furnished to**  
17 **inpatients who are predominantly individuals less than**



1           **eighteen (18) years of age.**

2           **Sec. 2. This chapter applies to inpatient Medicaid services and**  
3 **outpatient Medicaid services provided at a children's hospital**  
4 **located in Chicago, Illinois.**

5           **Sec. 3. (a) The office shall establish and implement a pilot**  
6 **program for the reimbursement of a children's hospital at a rate**  
7 **described in section 4 of this chapter if the Medicaid recipient who**  
8 **received the covered Medicaid services is qualified as set forth in**  
9 **subsection (b).**

10           **(b) A Medicaid recipient is qualified for purposes of this chapter**  
11 **if the following criteria are met:**

12           **(1) The recipient is less than eighteen (18) years of age and**  
13 **resides in Indiana.**

14           **(2) Either:**

15           **(A) the Medicaid service is not being offered or is**  
16 **otherwise unavailable in Indiana; or**

17           **(B) the recipient's provider determines that it is medically**  
18 **necessary for the recipient to obtain the services at a**  
19 **children's hospital located outside of Indiana.**

20           **(3) The recipient obtained the covered Medicaid service from**  
21 **a children's hospital located in Chicago, Illinois.**

22           **Sec. 4. The office shall reimburse the children's hospital for the**  
23 **provision of the Medicaid covered service to a qualified recipient**  
24 **at the same reimbursement rate at which the office reimburses a**  
25 **children's hospital located in Indiana for the service.**

26           **Sec. 5. The office shall apply to the United States Department of**  
27 **Health and Human Services for any state plan amendment or**  
28 **Medicaid waiver necessary to implement and administer this**  
29 **chapter.**

30           **Sec. 6. The office may adopt rules under IC 4-22-2 necessary for**  
31 **the implementation and administration of this chapter.**

