

HOUSE BILL No. 1251

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15; IC 12-17-20; IC 12-17.6-2-4.5; IC 12-21-5-4; IC 20-26-5-38.

Synopsis: Mental health matters. Requires the office of the secretary of family and social services (office) to apply for a state plan amendment that would require Medicaid reimbursement for eligible Medicaid rehabilitation option services provided in a school setting to a Medicaid recipient. Requires the office to review the Medicaid rehabilitation option services provided under Medicaid, determine whether additional services are appropriate, and submit the office's findings to the legislative services agency. Requires a school corporation to contract with a community mental health center to provide Medicaid rehabilitation option services to the school corporation's students and families. Requires the division of mental health and addiction to establish and administer an evidence based program that partners with schools to provide social services to children, parents, caregivers, teachers, and the community. Sets forth requirements of the program and a contracting entity. Requires the office of Medicaid policy and planning to study and report to the legislative services agency the impact of increasing the eligibility income limitations for the children's health insurance program and specifies requirements of the study. Sets forth requirements of the mental health first aid training program report.

Effective: July 1, 2019.

Davisson, Cook, Clere

January 10, 2019, read first time and referred to Committee on Public Health.



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. 1251

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

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

1 SECTION 1. IC 12-15-1.3-19 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 19. (a) As used in this section,**
4 **"Medicaid rehabilitation option services" means clinical**
5 **behavioral health services provided to recipients and families of**
6 **recipients living in the community who need aid intermittently for**
7 **emotional disturbances, mental illness, and addiction as part of the**
8 **Medicaid rehabilitation option program.**

9 **(b) Before December 1, 2019, the office shall apply to the United**
10 **States Department of Health and Human Services for a state plan**
11 **amendment that would require Medicaid reimbursement by:**

12 **(1) the office;**

13 **(2) a managed care organization that has contracted with the**
14 **office; or**

15 **(3) a contractor of the office;**

16 **for eligible Medicaid rehabilitation option services in a school**
17 **setting for any Medicaid recipient.**



(c) If the office receives approval for the state plan amendment applied for under this section, the office shall comply with IC 12-15-5-18.

SECTION 2. IC 12-15-5-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 18. (a) Not later than one (1) year from the date the office receives approval for the state plan amendment described in IC 12-15-1.3-19 concerning Medicaid rehabilitation option services, the office shall do the following:

(1) Review the current services included in the Medicaid rehabilitation option services program in the school setting.

(2) Determine whether additional appropriate services, including:

(A) family engagement services; and

(B) additional comprehensive behavioral health services, including addiction services;

should be included as part of the program.

(3) Report the office's findings under this subsection to the legislative services agency in an electronic format under IC 5-14-6.

(b) Not later than three (3) months from the date the office receives approval for the state plan amendment described in IC 12-15-1.3-19 concerning Medicaid rehabilitation option services, the office shall notify each school corporation that the United States Department of Health and Human Services has approved the state plan amendment applied for under IC 12-15-1.3-19.

(c) Each school corporation shall, not later than one (1) year from the date the office receives approval for the state plan amendment described in IC 12-15-1.3-19 concerning Medicaid rehabilitation option services, contract with a community mental health center to provide Medicaid rehabilitation option services for:

(1) a student of the school corporation who is a Medicaid recipient; and

(2) the student's family.

SECTION 3. IC 12-17-20 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 20. School Social Services Program

Sec. 1. The division of mental health and addiction shall establish and administer an evidence based school social services



program that includes partnering with elementary schools (as defined in IC 20-18-2-4) and high schools (as defined in IC 20-18-2-7) to provide social and emotional support services to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy behaviors, and maximize student success.

Sec. 2. The model described in section 1 of this chapter must include the following:

(1) Early intervention and prevention of substance abuse and mental health issues, including:

- (A) problem identification and assessment;
- (B) evidence based programs and strategies;
- (C) referral to community resources;
- (D) pretreatment and postvention care; and
- (E) case plan development.

(2) Assistance for students who are at risk of dropping out of school.

(3) Suicide prevention and self-harm intervention.

(4) Parenting skills and family communication education.

(5) Social skills education and development.

(6) Grief counseling.

(7) Identification of adverse childhood experiences and trauma informed care and experiences.

Sec. 3. The office of the secretary shall contract for services to implement the model described in section 1 of this chapter. A contracting entity must meet the following requirements:

(1) Is a nonprofit organization that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(2) Employs individuals who have earned a master's degree in social work and who:

- (A) are certified to provide the evidence based programs described in section 2 of this chapter; and
- (B) provide strategies that meet the needs of children, families, caregivers, teachers, and the community in a school setting.

(3) Partners with schools, churches, and other entities to provide services to children, families, caregivers, teachers, and the community.

(4) Contracts with an independent third party to provide the following:

- (A) Independent evaluations that measure the contracting



entity's success in:

- (i) reducing risk factors;
- (ii) increasing resiliency; and
- (iii) decreasing the individual concerns of students.

(B) An annual report of the contracting entity's outcomes to the following:

- (i) The contracting entity.
- (ii) The office of the secretary.
- (iii) The legislative council in an electronic format under IC 5-14-6.

Sec. 4. A contracting entity under section 3 of this chapter may use funds received under a contract with the office of the secretary under this chapter to pay expenses related to providing services under the model described in section 1 of this chapter to:

- (1) partner schools existing at the time the contract becomes effective; and
- (2) new partner schools.

Sec. 5. The office of the secretary may retain annually, for the purpose of paying administrative expenses incurred by the office of the secretary in carrying out the oversight of the requirements of this chapter, not more than five percent (5%) of any funds appropriated to the office of the secretary to implement this chapter.

SECTION 4. IC 12-17.6-2-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4.5. (a) Before October 1, 2019, the office shall:

- (1) perform a comprehensive study of the impact of increasing the federal poverty income eligibility limitation under the program; and
- (2) prepare a written report on the office's findings in the study; and
- (3) submit the report to the legislative services agency in an electronic format under IC 5-14-6.

(b) The study must:

- (1) focus on the expansion of access to health services for Indiana children, including access to mental health and addiction treatment services; and
- (2) analyze the potential improvement of access to behavioral health services to children in the public school system.

(c) This section expires December 31, 2019.

SECTION 5. IC 12-21-5-4, AS ADDED BY P.L.185-2015,



SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) To the extent that funds are made available, the division, in consultation with:

- (1) the department of education;
- (2) the law enforcement training board;
- (3) the Indiana Council of Community Mental Health Centers;
- (4) Mental Health America-Indiana;
- (5) the Indiana emergency medical services commission; and
- (6) a private foundation dedicated to the prevention of youth suicide through education and awareness;

shall develop and administer a mental health first aid training program.

(b) The mental health first aid training program developed under subsection (a) must do the following:

- (1) Train individuals attending the training program to recognize the risk factors and signs of mental health problems or crises in children and young adults, including signs that a child or young adult may be considering suicide.
- (2) Train individuals attending the training program to guide children and young adults who exhibit signs of a mental health problem or crisis to appropriate behavioral health services.
- (3) Train individuals attending the training program to not label children who are at risk or show signs of mental health problems in a manner that would stigmatize the child.

(c) The division shall provide training for individuals who will be instructors in the mental health first aid training program.

(d) The division shall make the mental health first aid training program available to licensed teachers, school counselors, emergency medical service providers, law enforcement officers, leaders of community faith organizations, and other persons interested in receiving training under the program.

(e) The division, the department of education, and the Indiana emergency medical services commission may seek federal and state funding and may accept private contributions to administer and provide mental health first aid training programs.

~~(f) Notwithstanding any other law, the division is not required to implement the mental health first aid training program until after June 30, 2016.~~

~~(g)~~ **(f)** ~~Before October 1, 2015,~~ The division shall report **annually** to the interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4(14) **in an electronic format under IC 5-14-6** concerning the status of the development of the mental health first aid training program. **The report must contain**



1 the following information concerning the program:

2 (1) The annual and cumulative number of individuals who
3 have received training through the program.

4 (2) The number of individuals who have been credentialed or
5 certified by the program.

6 (3) The annual and cumulative number of school aged youth
7 who interface with adults who have trained in mental health
8 first aid or youth mental health first aid under the program.

9 SECTION 6. IC 20-26-5-38 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2019]: Sec. 38. Each school corporation shall, not later than one
12 (1) year from the date the office of the secretary of family and
13 social services receives approval for the state plan amendment
14 described in IC 12-15-1.3-19 concerning Medicaid rehabilitation
15 option services, contract with a community mental health center as
16 required under IC 12-15-5-18(c).

