



January 29, 2016

HOUSE BILL No. 1347

DIGEST OF HB 1347 (Updated January 27, 2016 6:11 pm - DI 77)

Citations Affected: IC 12-7; IC 12-15; IC 12-21; IC 27-19.

Synopsis: Mental health matters. Requires the office of Medicaid policy and planning to reimburse under the Medicaid program: (1) certain advanced practice nurses for specified Medicaid services; (2) certain master's degree and doctoral degree students in specified fields who are interning or in a practicum at a community mental health center under the direct supervision of a licensed professional; and (3) licensed clinical addiction counselors who under the clinical supervision of a physician or health service provider in psychology. Establishes the committee on mental health provider workforce adequacy (committee) to study the availability of licensed professionals providing mental health and substance use services in Indiana. Requires the department of insurance (department), in consultation with the office of the secretary of family and social services, to review, study, and make recommendations concerning the capacity, training, and barriers to health navigators in assisting individuals in obtaining health insurance program coverage. Requires the committee and the department to report their findings to the interim study committee on public health, behavioral health, and human services before September 30, 2016.

Effective: July 1, 2016.

Kirchhofer, Brown C

January 12, 2016, read first time and referred to Committee on Public Health.
January 28, 2016, amended, reported — Do Pass.

HB 1347—LS 6951/DI 104



January 29, 2016

Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1347

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 12-7-2-3.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2016]: **Sec. 3.1. "Advanced practice nurse", for purposes of**
4 **IC 12-15-5-14, has the meaning set forth in IC 12-15-5-14(a).**
5 SECTION 2. IC 12-7-2-35, AS AMENDED BY P.L.53-2014,
6 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2016]: Sec. 35. "Committee" means the following:
8 (1) For purposes of IC 12-15-33, the meaning set forth in
9 IC 12-15-33-1.
10 (2) For purposes of IC 12-17.2-3.6, the meaning set forth in
11 IC 12-17.2-3.6-1.
12 (3) **For purposes of IC 12-21-4.5, the meaning set forth in**
13 **IC 12-21-4.5-1.**
14 SECTION 3. IC 12-7-2-134, AS AMENDED BY P.L.160-2012,
15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2016]: Sec. 134. "Office" means the following:
17 (1) Except as provided in subdivisions (2) through (4), the office

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1 of Medicaid policy and planning established by IC 12-8-6.5-1.

2 (2) For purposes of IC 12-10-13, the meaning set forth in
3 IC 12-10-13-4.

4 **(3) For purposes of IC 12-15-5-14, the meaning set forth in**
5 **IC 12-15-5-14(b).**

6 **(4) For purposes of IC 12-15-5-15, the meaning set forth in**
7 **IC 12-15-5-15(a).**

8 ~~(5)~~ **(5)** For purposes of IC 12-15-13, the meaning set forth in
9 IC 12-15-13-0.4.

10 ~~(6)~~ **(6)** For purposes of IC 12-17.6, the meaning set forth in
11 IC 12-17.6-1-4.

12 SECTION 4. IC 12-15-5-14 IS ADDED TO THE INDIANA CODE
13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2016]: **Sec. 14. (a) As used in this section, "advanced practice**
15 **nurse" means:**

16 **(1) a nurse practitioner; or**

17 **(2) a clinical nurse specialist;**

18 **who is a registered nurse licensed under IC 25-23 and qualified to**
19 **practice nursing in a specialty role based upon the additional**
20 **knowledge and skill gained through a formal organized program**
21 **of study and clinical experience, or the equivalent as determined by**
22 **the Indiana state board of nursing.**

23 **(b) As used in this section, "office" includes the following:**

24 **(1) The office of the secretary of family and social services.**

25 **(2) A managed care organization that has contracted with the**
26 **office of Medicaid policy and planning under this article.**

27 **(3) A person that has contracted with a managed care**
28 **organization described in subdivision (2).**

29 **(c) The office shall reimburse eligible Medicaid claims for the**
30 **following services provided by an advanced practice nurse**
31 **employed by a community mental health center if the services are**
32 **part of the advanced practice nurse's scope of practice:**

33 **(1) Mental health services.**

34 **(2) Behavioral health services.**

35 **(3) Substance use treatment.**

36 **(4) Primary care services.**

37 **(5) Evaluation and management services for inpatient or**
38 **outpatient psychiatric treatment.**

39 **(6) Prescription drug services.**

40 **(d) The office shall include an advanced practice nurse as an**
41 **eligible provider for the supervision of a plan of treatment for a**
42 **patient's outpatient mental health or substance abuse treatment**



1 services, if the supervision is in the advanced practice nurse's scope
2 of practice, education, and training.

3 SECTION 5. IC 12-15-5-15 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2016]: Sec. 15. (a) As used in this section, "office" includes the
6 following:

7 (1) The office of the secretary of family and social services.

8 (2) A managed care organization that has contracted with the
9 office of Medicaid policy and planning under this article.

10 (3) A person that has contracted with a managed care
11 organization described in subdivision (2).

12 (b) The office shall authorize Medicaid reimbursement for
13 eligible Medicaid services provided by a student who:

14 (1) is currently enrolled in a master's degree or doctoral
15 degree level:

16 (A) medical;

17 (B) nursing;

18 (C) mental health;

19 (D) behavioral health; or

20 (E) addiction treatment;

21 accredited college or university program; and

22 (2) has been approved by the college or university to work as
23 an intern or practicum student at a community mental health
24 center under the direct supervision of a licensed professional
25 who holds a master's degree or doctoral level degree related
26 to the area of study.

27 (c) Medicaid claims for eligible Medicaid services provided
28 under this section must:

29 (1) be submitted by the supervising practitioner; and

30 (2) include both the supervisor's and intern or practicum
31 student's time.

32 Only one (1) Medicaid claim may be submitted per episode of care.

33 (d) A community mental health center that allows intern and
34 practicum students to provide services under this section shall have
35 a policy and procedure for the intern and practicum students to
36 receive supervision and a method for documenting the supervision
37 provided.

38 SECTION 6. IC 12-15-5-16 IS ADDED TO THE INDIANA CODE
39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
40 1, 2016]: Sec. 16. (a) As used in this section, "office" includes the
41 following:

42 (1) The office of the secretary of family and social services.



1 **(2) A managed care organization that has contracted with the**
 2 **office of Medicaid policy and planning under this article.**

3 **(3) A person that has contracted with a managed care**
 4 **organization described in subdivision (2).**

5 **(b) The office shall reimburse a clinical addiction counselor**
 6 **licensed under IC 25-23.6 for an eligible Medicaid behavioral**
 7 **health or addictions service that is within the counselor's scope of**
 8 **practice if the clinical addiction counselor is under the clinical**
 9 **supervision of a physician or health service provider in psychology.**

10 **SECTION 7. IC 12-21-4.5 IS ADDED TO THE INDIANA CODE**
 11 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
 12 **JULY 1, 2016]:**

13 **Chapter 4.5. Committee on Mental Health Provider Workforce**
 14 **Adequacy**

15 **Sec. 1. As used in this chapter, "committee" refers to the**
 16 **committee on mental health provider workforce adequacy**
 17 **established by section 2 of this chapter.**

18 **Sec. 2. (a) The committee on mental health provider workforce**
 19 **adequacy is established. The committee shall study the availability**
 20 **of licensed professionals providing mental health and substance use**
 21 **services in Indiana.**

22 **(b) The committee shall include the following members:**

23 **(1) Four (4) members of the general assembly appointed as**
 24 **follows, who shall serve as nonvoting members:**

25 **(A) Two (2) members of the senate, one (1) from each**
 26 **political party, appointed by the president pro tempore of**
 27 **the senate with advice from the minority leader of the**
 28 **senate.**

29 **(B) Two (2) members of the house of representatives, one**
 30 **(1) from each political party, appointed by the speaker of**
 31 **the house of representatives with advice from the minority**
 32 **leader of the house of representatives.**

33 **(2) The director of the division, or the director's designee, who**
 34 **shall serve as chairperson.**

35 **(3) The director of the office of Medicaid policy and planning,**
 36 **or the director's designee.**

37 **(4) The executive director of the Indiana professional**
 38 **licensing agency, or the executive director's designee.**

39 **(5) The following members appointed by the governor:**

40 **(A) One (1) individual representing a community mental**
 41 **health center association.**

42 **(B) One (1) individual representing a mental health**



- 1 consumer association.
- 2 (C) One (1) individual representing psychiatrists.
- 3 (D) One (1) individual representing health service
- 4 providers in psychology.
- 5 (E) One (1) individual representing licensed mental health
- 6 counselors.
- 7 (F) One (1) individual representing licensed marriage and
- 8 family therapists.
- 9 (G) One (1) individual representing licensed social workers
- 10 with a master's degree in social work.
- 11 (H) One (1) individual representing licensed clinical
- 12 addiction counselors.
- 13 (I) One (1) individual representing physicians.
- 14 (J) One (1) individual representing nurses.
- 15 (c) The division shall staff the committee.
- 16 (d) The affirmative votes of a majority of the voting members
- 17 on the committee are required for the committee to take action on
- 18 any measure, including final reports.
- 19 (e) Each member of the committee who is not a state employee
- 20 is not entitled to the minimum salary per diem provided by
- 21 IC 4-10-11-2.1(b). The member is, however, entitled to
- 22 reimbursement for traveling expenses as provided under
- 23 IC 4-13-1-4 and other expenses actually incurred in connection
- 24 with the member's duties as provided in the state policies and
- 25 procedures established by the Indiana department of
- 26 administration and approved by the budget agency.
- 27 (f) Each member of the committee who is a state employee but
- 28 who is not a member of the general assembly is entitled to
- 29 reimbursement for traveling expenses as provided under
- 30 IC 4-13-1-4 and other expenses actually incurred in connection
- 31 with the member's duties as provided in the state policies and
- 32 procedures established by the Indiana department of
- 33 administration and approved by the budget agency.
- 34 (g) Each member of the committee who is a member of the
- 35 general assembly is entitled to receive the same per diem, mileage,
- 36 and travel allowances paid to legislative members of interim study
- 37 committees established by the legislative council. Per diem,
- 38 mileage, and travel allowances paid under this subsection shall be
- 39 paid from appropriations made to the legislative council or the
- 40 legislative services agency.
- 41 Sec. 3. (a) The committee shall study the following:
- 42 (1) The current licensure standards and scope of practice



1 requirements for:

2 (A) physicians;

3 (B) nurses;

4 (C) mental health professionals; and

5 (D) substance use treatment professionals;

6 to consider possible changes in these standards and
7 requirements to address the shortage of mental health and
8 substance use treatment professionals in Indiana.

9 (2) The impact of any recommended changes to standards and
10 requirements in subdivision (1) on the quality of care and
11 access for health consumers, including Medicaid recipients.

12 (3) The benefits and risks of offering reciprocity for
13 individuals licensed or certified in other states in order to
14 address the mental health and substance use treatment
15 services shortage in Indiana.

16 (4) The curriculum at Indiana colleges and universities for
17 medical related programs, including:

18 (A) medical school curriculum;

19 (B) nursing school curriculum;

20 (C) social work program curriculum;

21 (D) mental health program curriculum; and

22 (E) substance use treatment program curriculum;

23 and the impact the curriculum at each school or program has
24 on the shortage of mental health professionals in Indiana.

25 (5) The level of funding that would be appropriate for the
26 mental health services development loan repayment program
27 (IC 21-44-6) to further develop behavioral health
28 professionals in Indiana.

29 (b) Before September 1, 2017, the committee shall report, in
30 writing and in electronic format under IC 5-14-6, to the interim
31 study committee on public health, behavioral health, and human
32 services established by IC 2-5-1.3-4 the committee's findings under
33 this chapter.

34 **Sec. 4. This chapter expires December 31, 2017.**

35 SECTION 8. IC 27-19-4-4.5 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2016]: **Sec. 4.5. (a) The department shall, in consultation with the**
38 **office of the secretary of family and social services, review, study,**
39 **and make recommendations concerning the current capacity,**
40 **training, adequacy, and barriers to navigators who provide**
41 **assistance to individuals in applying for and obtaining public**
42 **health insurance program coverage.**



- 1 **(b) Before September 30, 2016, the department shall report, in**
- 2 **writing and in an electronic format under IC 5-14-6, the**
- 3 **department's findings under this section to the interim study**
- 4 **committee on public health, behavioral health, and human services**
- 5 **established by IC 2-5-1.3-4.**
- 6 **(c) This section expires December 31, 2016.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1347, 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 2, line 5, delete "IC 21-15-5-14(b)." and insert "**IC 12-15-5-14(b).**".

Page 2, line 7, delete "IC 21-15-5-15(a)." and insert "**IC 12-15-5-15(a).**".

Page 2, line 30, delete "submitted" and insert "**provided**".

Page 2, between lines 38 and 39, begin a new line block indented and insert:

"(6) Prescription drug services."

Page 2, line 41, delete "services." and insert "**or substance abuse treatment services, if the supervision is in the advanced practice nurse's scope of practice, education, and training.**".

Page 3, line 19, delete "in" and insert "**as**".

Page 3, line 20, delete "internship program" and insert "**intern or practicum student**".

Page 3, line 21, delete "and is interning at the community mental health center".

Page 3, between lines 24 and 25, begin a new paragraph and insert:

"(c) Medicaid claims for eligible Medicaid services provided under this section must:

(1) be submitted by the supervising practitioner; and

(2) include both the supervisor's and intern or practicum student's time.

Only one (1) Medicaid claim may be submitted per episode of care.

(d) A community mental health center that allows intern and practicum students to provide services under this section shall have a policy and procedure for the intern and practicum students to receive supervision and a method for documenting the supervision provided."

Page 3, line 34, after "counselor" insert "**licensed under IC 25-23.6 for an eligible Medicaid behavioral health or addictions service that is within the counselor's scope of practice if the clinical addiction counselor is under the clinical supervision of a physician or health service provider in psychology.**".

Page 3, delete lines 35 through 40.



Page 6, line 32, delete "1, 2017," and insert "**30, 2016**,".

Page 6, line 37, delete "2017." and insert "**2016**,".

and when so amended that said bill do pass.

(Reference is to HB 1347 as introduced.)

KIRCHHOFER

Committee Vote: yeas 12, nays 0.

