



January 24, 2014

HOUSE BILL No. 1360

DIGEST OF HB 1360 (Updated January 21, 2014 9:30 pm - DI 77)

Citations Affected: IC 12-23; IC 21-44.

Synopsis: Addiction treatment and services. Requires the division of mental health and addiction, in cooperation with the state department of health, to develop and implement a program that does the following: (1) Provides a manner of identifying the aggregate number of pregnant women in Indiana who are addicted to a controlled substance. (2) Provides for an effective means of intervention to eliminate the addiction of pregnant women to controlled substances prior to the birth of their children. (3) Provides for the continued monitoring of women, after the birth of their children, who were addicted to a controlled substance during their pregnancies, and provides for the availability of treatment and rehabilitation for those women. Changes the name of the mental health services development programs board to the mental health and addiction services development programs board (board). Adds three members to the board. Requires that the psychiatrist member of the board be certified in addiction psychiatry. Removes requirement for a unanimous vote by certain members to take action on the development program or training track program. Provides for the annual election of the chairperson and vice chairperson of the board. (Currently the dean of the Indiana University School of Medicine or the dean's designee serves as chairperson.) Requires the board to meet at least quarterly each year. (Currently the board must meet at least twice a year.) Requires the board to take action concerning the integrated behavioral health and addiction treatment development program with
(Continued next page)

Effective: July 1, 2014.

Brown C, Clere

January 15, 2014, read first time and referred to Committee on Public Health.
January 23, 2014, amended, reported — Do Pass.

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Digest Continued

dual diagnoses treatment settings or the integrated behavioral health and addiction treatment psychiatry residency training track program. (Current law requires the board to take action concerning the public sector psychiatry development program or the training track program.) Adds psychiatrists pursuing fellowship training and certification in addiction psychiatry and addiction counselors to persons eligible for the loan forgiveness program. Allows recipients to work in state funded addiction treatment centers. Changes the names of the accounts that fund the loan forgiveness and development programs. Provides that a psychiatrist pursuing fellowship training and certification in addiction psychiatry may receive loan forgiveness grants for not more than five years. Gives priority to annually funding two psychiatrists pursuing fellowship training and certification in addiction psychiatry. Requires the state department of health to provide administrative support for the integrated behavioral health and addiction treatment development program account and the board. Makes conforming changes. (The introduced version of this bill was prepared by the commission on mental health and addiction.)

HB 1360—LS 6874/DI 77



January 24, 2014

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. 1360

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 12-23-19 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]:
4 **Chapter 19. Program for Addicted Pregnant Women**
5 **Sec. 1. For purposes of this chapter, the director, in accordance**
6 **with sound medical and psychiatric knowledge, may determine**
7 **what symptoms and conditions must exist to determine that a**
8 **pregnant woman is addicted to a controlled substance (as defined**
9 **by IC 35-48-1-9).**
10 **Sec. 2. The division, in cooperation with the state department of**
11 **health, shall develop and implement a program that does the**
12 **following:**
13 **(1) Provides a manner of identifying the aggregate number of**
14 **pregnant women in Indiana who are addicted to a controlled**
15 **substance.**

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- 1 **(2) Provides for an effective means of intervention to**
- 2 **eliminate the addiction of pregnant women to controlled**
- 3 **substances before the birth of their children.**
- 4 **(3) Provides for the continued monitoring of women, after the**
- 5 **birth of their children, who were addicted to a controlled**
- 6 **substance during their pregnancies, and provides for the**
- 7 **availability of treatment and rehabilitation for those women.**
- 8 **Sec. 3. To implement this chapter, the division, in cooperation**
- 9 **with the state department of health, may do the following:**
- 10 **(1) Provide for the promotion, establishment, coordination,**
- 11 **and conduct of unified local programs of prevention,**
- 12 **diagnosis, treatment, and rehabilitation in the field of drug**
- 13 **addiction of pregnant women in cooperation with federal,**
- 14 **state, local, and private agencies.**
- 15 **(2) Survey and analyze the state's needs and formulate a**
- 16 **comprehensive plan for the long range development of local**
- 17 **community treatment programs through the use of state,**
- 18 **federal, local, and private resources for the prevention and**
- 19 **control of drug addiction in pregnant women.**
- 20 **(3) Modify or expand an existing substance abuse or maternal**
- 21 **health program that is administered by the division or the**
- 22 **state department of health to provide for the identification,**
- 23 **treatment, and rehabilitation of pregnant women who are**
- 24 **addicted to controlled substances.**
- 25 **(4) With the approval of the budget agency, make agreements**
- 26 **concerning local community treatment programs, including**
- 27 **agreements with public and private agencies, to do or cause to**
- 28 **be done whatever is necessary, desirable, or proper to carry**
- 29 **out the purposes and objectives of this chapter within the**
- 30 **amounts made available by appropriation, gift, grant, devise,**
- 31 **or bequest.**
- 32 **(5) Establish and operate local community rehabilitation**
- 33 **centers and other local facilities that the division considers**
- 34 **necessary or desirable for the care, treatment, and**
- 35 **rehabilitation of pregnant women who are addicted to**
- 36 **controlled substances.**
- 37 **(6) Approve facilities and services for the local community**
- 38 **care, treatment, or rehabilitation of pregnant women who are**
- 39 **addicted to controlled substances.**
- 40 **(7) With the approval of the budget agency, accept on behalf**
- 41 **of the state a gift, grant, devise, or bequest.**
- 42 **Sec. 4. The division may adopt rules under IC 4-22-2 to**



1 **implement this chapter.**

2 SECTION 2. IC 21-44-1-3, AS AMENDED BY P.L.170-2009,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2014]: Sec. 3. (a) "Board", for purposes of IC 21-44-5, refers
5 to the medical education board established by IC 21-44-5-1.

6 (b) "Board", for purposes of IC 21-44-6, refers to the mental health
7 **and addiction** services development programs board established by
8 IC 21-44-6-1.

9 SECTION 3. IC 21-44-6-1, AS ADDED BY P.L.170-2009,
10 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2014]: Sec. 1. There is established the mental health **and**
12 **addiction** services development programs board.

13 SECTION 4. IC 21-44-6-2, AS ADDED BY P.L.170-2009,
14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2014]: Sec. 2. The board consists of the following **ten (10)**
16 members:

17 (1) The dean of the Indiana University School of Medicine or the
18 dean's designee. ~~The dean of the Indiana University School of~~
19 ~~Medicine or the dean's designee shall serve as the chairperson of~~
20 ~~the board.~~

21 (2) The chairperson of the department of psychiatry of the Indiana
22 University School of Medicine or the chairperson's designee.

23 (3) The director of the division of mental health and addiction
24 created by IC 12-21-1-1 or the director's designee.

25 (4) The commissioner of the state department of health or the
26 commissioner's designee.

27 **(5) The dean of the department of family practice of the**
28 **Marian University College of Osteopathic Medicine or the**
29 **dean's designee.**

30 ~~(5)~~ **(6)** The administrator of a graduate program in an institution
31 of higher education in Indiana engaged in training psychologists.

32 ~~(6)~~ **(7)** The administrator of a program in an institution of higher
33 education in Indiana engaged in training advanced practice
34 psychiatric nurses.

35 ~~(7)~~ **(8)** One (1) psychiatrist who practices psychiatry in Indiana
36 **and who:**

37 **(A) is actively certified in addiction psychiatry by the**
38 **American Board of Addiction Medicine; or**

39 **(B) is actively certified in addiction psychiatry by the**
40 **American Board of Psychiatry and Neurology.**

41 **(9) The administrator of a program in an institution of higher**
42 **education in Indiana engaged in training addiction counselors.**



1 **(10) A representative of the Indiana department of veterans'**
 2 **affairs.**

3 The governor shall appoint the members of the board described in
 4 subdivisions ~~(5)~~ **(6)** through ~~(7)~~: **(10)**.

5 SECTION 5. IC 21-44-6-2.5 IS ADDED TO THE INDIANA CODE
 6 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 7 **1, 2014]: Sec. 2.5. (a) Each year, the board shall elect a member as**
 8 **chairperson and a member as vice chairperson.**

9 **(b) The chairperson and vice chairperson shall serve until their**
 10 **successors are elected.**

11 **(c) The chairperson shall preside at all meetings at which the**
 12 **chairperson is present. The vice chairperson shall preside at**
 13 **meetings in the absence of the chairperson and shall perform other**
 14 **duties as the chairperson directs.**

15 **(d) The dean of the Indiana University School of Medicine or the**
 16 **dean's designee shall call and preside over the initial meeting to**
 17 **elect the chairperson and vice chairperson under this section.**

18 SECTION 6. IC 21-44-6-3, AS ADDED BY P.L.170-2009,
 19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2014]: Sec. 3. The board shall meet ~~initially at the call of the~~
 21 ~~governor. After the initial meeting, the board shall meet~~ at least **twice**
 22 **quarterly** each year at the call of the chairperson.

23 SECTION 7. IC 21-44-6-4, AS ADDED BY P.L.170-2009,
 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2014]: Sec. 4. (a) Each board member who is not a state
 26 employee is not entitled to a salary per diem. The member is, however,
 27 entitled to reimbursement for traveling expenses as provided under
 28 IC 4-13-1-4 and other expenses actually incurred in connection with
 29 the member's duties as provided in the state policies and procedures
 30 established by the Indiana department of administration and approved
 31 by the budget agency.

32 (b) Each member of the board who is a state employee is entitled to
 33 reimbursement for traveling expenses as provided under IC 4-13-1-4
 34 and other expenses actually incurred in connection with the member's
 35 duties as provided in the state policies and procedures established by
 36 the Indiana department of administration and approved by the budget
 37 agency.

38 (c) Except as provided in subsection (d), the affirmative votes of a
 39 majority of the members appointed to the board are required for the
 40 board to take action on any measure.

41 (d) The affirmative votes of a majority of the members appointed to
 42 the board ~~including the unanimous votes of the members under section~~



1 2(1), 2(2), and 2(7) of this chapter who are present, are required for the
 2 board to take any action. concerning the public sector psychiatry
 3 development program or the training track program:

4 SECTION 8. IC 21-44-6-5, AS ADDED BY P.L.170-2009,
 5 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 5. The purpose of the board is to do the following:

7 (1) To establish and oversee a loan forgiveness program designed
 8 to attract:

9 (A) psychiatrists, **including psychiatrists pursuing**
 10 **fellowship training and certification in addiction**
 11 **psychiatry;**

12 (B) psychologists; ~~and~~

13 (C) psychiatric nurses; **and**

14 **(D) addiction counselors;**

15 to provide services to individuals with mental illness **and**
 16 **addictive disorders** in ~~public psychiatry settings~~ **behavioral**
 17 **health and addiction treatment settings** in Indiana by assisting
 18 the individuals listed in this section to pay off loans incurred in
 19 the training needed to practice psychiatry and psychology and as
 20 a psychiatric nurse **or an addiction counselor** in Indiana.

21 (2) To establish and oversee a ~~public sector psychiatry an~~
 22 **integrated behavioral health and addiction treatment**
 23 development program to attract and train psychiatrists,
 24 **psychologists, psychiatric nurses, and addiction counselors**
 25 who will engage in the practice of ~~psychiatry~~ **integrated**
 26 **behavioral health and addiction treatment** in:

27 (A) state mental health institutions;

28 (B) community mental health centers; ~~and~~

29 **(C) state funded addiction treatment centers; or**

30 ~~(D)~~ **(D) other behavioral health and addiction treatment**
 31 settings determined by the board to be ~~public sector mental~~
 32 **health and addiction dual diagnoses treatment** settings.

33 (3) To develop and oversee a ~~public sector psychiatry residency~~
 34 **an integrated behavioral health and addiction treatment**
 35 training track program through the Indiana University School of
 36 Medicine, Department of Psychiatry residency training program.
 37 The training track program must provide an opportunity for
 38 ~~psychiatry~~ residents to work in ~~public sector psychiatry~~ **mental**
 39 **health and addiction dual diagnoses treatment** settings,
 40 including:

41 (A) state psychiatric hospitals;

42 (B) community mental health centers; ~~and~~



- 1 **(C) state funded addiction treatment centers; or**
 2 ~~(D)~~ **(D) other behavioral health and addiction treatment**
 3 **settings determined to be public sector by the board to be**
 4 **mental health and addiction dual diagnoses treatment**
 5 **settings. by the board.**
 6 (4) To develop standards for participation in the training track
 7 program that include:
 8 (A) guidelines for the amounts of grants and other assistance
 9 a participant receives;
 10 (B) guidelines for the type of training in ~~public sector~~
 11 ~~psychiatry~~ **integrated behavioral health and addiction**
 12 **treatment** the participant receives;
 13 (C) guidelines for agreements with mental health hospitals,
 14 community mental health centers, and other entities
 15 participating in the training track program; and
 16 (D) other guidelines and standards necessary for governing the
 17 training track program.
- 18 SECTION 9. IC 21-44-6-6, AS ADDED BY P.L.170-2009,
 19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2014]: Sec. 6. The board shall establish guidelines for the
 21 repayment of the loans incurred by a psychiatrist, psychologist, ~~or~~
 22 psychiatric nurse, **or addiction counselor**, including the following:
 23 (1) A participant may not receive more than twenty-five thousand
 24 dollars (\$25,000) in a year.
 25 (2) **Except as provided in subdivision (3)**, a participant may not
 26 receive grants for more than four (4) years.
 27 **(3) A participant who is a psychiatrist pursuing fellowship**
 28 **training and certification in addiction psychiatry may not**
 29 **receive grants for more than five (5) years.**
 30 ~~(4)~~ **(4) A participant must commit to a full year of service in a**
 31 ~~public psychiatry~~ **an integrated behavioral health and**
 32 **addiction treatment setting as described in section 5(2) or 5(3)**
 33 **of this chapter** for each year of loan repayment.
 34 ~~(5)~~ **(5) A participant must be a practitioner who:**
 35 (A) is:
 36 (i) from Indiana; and
 37 (ii) ~~establishing~~ **accepting** a new ~~practice~~ **position** in
 38 Indiana; or
 39 (B) is:
 40 (i) from outside Indiana;
 41 (ii) not currently practicing in Indiana and has not practiced
 42 in Indiana for three (3) years before applying for the



1 program; and

2 (iii) establishing a new practice in Indiana.

3 SECTION 10. IC 21-44-6-7, AS ADDED BY P.L.170-2009,
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2014]: Sec. 7. (a) As used in this section, "account" refers to
6 the mental health **and addiction** services loan forgiveness account
7 established in subsection (b).

8 (b) The mental health **and addiction** services loan forgiveness
9 account within the state general fund is established for the purpose of
10 providing grants for loan repayment under this chapter. The account
11 shall be administered by the board. Money in the account shall be used
12 to fund loan forgiveness grants under this chapter.

13 (c) The account consists of:

14 (1) appropriations made by the general assembly;

15 (2) grants; and

16 (3) gifts and bequests.

17 (d) The expenses of administering the account shall be paid from
18 money in the account.

19 (e) The treasurer of state shall invest the money in the account not
20 currently needed to meet the obligations of the account in the same
21 manner as other public money may be invested. Interest that accrues
22 from these investments shall be deposited in the account.

23 (f) Money in the account at the end of a state fiscal year does not
24 revert to the state general fund.

25 SECTION 11. IC 21-44-6-8, AS ADDED BY P.L.170-2009,
26 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2014]: Sec. 8. (a) As used in this section, "account" refers to
28 the ~~public sector psychiatry~~ **integrated behavioral health and**
29 **addiction treatment** development program account established in
30 subsection (b).

31 (b) The ~~public sector psychiatry~~ **integrated behavioral health and**
32 **addiction treatment** development program account within the state
33 general fund is established for the purpose of providing funding for the
34 ~~public sector psychiatry~~ **integrated behavioral health and addiction**
35 **treatment** development program established under this chapter. The
36 account shall be administered by the ~~board~~ **state department of**
37 **health**. Money in the account shall be used to fund ~~psychiatric~~
38 residency positions, **fellowship training, and certification in**
39 **addiction psychiatry**, including:

40 (1) educational expenses;

41 (2) grants and scholarships;

42 (3) salaries; and



- 1 (4) benefits.
2 (c) The account consists of:
3 (1) appropriations made by the general assembly;
4 (2) grants; and
5 (3) gifts and bequests.
6 (d) The expenses of administering the account shall be paid from
7 money in the account.
8 (e) The treasurer of state shall invest the money in the account not
9 currently needed to meet the obligations of the account in the same
10 manner as other public money may be invested. Interest that accrues
11 from these investments shall be deposited in the account.
12 (f) Money in the account at the end of a state fiscal year does not
13 revert to the state general fund.
14 **(g) The board shall give priority to annually funding two (2)**
15 **psychiatrists pursuing fellowship training and certification in**
16 **addiction psychiatry. A participant who is a psychiatrist pursuing**
17 **fellowship training and certification in addiction psychiatry must**
18 **agree to establish a new practice in Indiana for at least five (5)**
19 **years upon completion of the fellowship training and certification**
20 **in addiction psychiatry.**
21 SECTION 12. IC 21-44-6-9 IS ADDED TO THE INDIANA CODE
22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
23 1, 2014]: **Sec. 9. The state department of health shall provide**
24 **administrative support for the board.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1360, 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 1, line 8, after "substance" insert "**(as defined by IC 35-48-1-9)**".

Page 4, delete lines 40 through 42, begin a new paragraph and insert:

"(d) The affirmative votes of a majority of the members appointed to the board ~~including the unanimous votes of the members under section 2(1), 2(2), and 2(7) of this chapter who are present,~~ are required for the board to take any action. ~~concerning the public sector psychiatry development program or the training track program.~~"

Page 5, delete lines 1 through 5.

Page 5, line 17, after "illness" insert "**and addictive disorders**".

Page 5, line 25, after "psychiatrists" insert ", **psychologists, psychiatric nurses, and addiction counselors**".

Page 5, line 34, strike "a public sector psychiatry residency" and insert "**an integrated behavioral health and addiction treatment**".

Page 5, line 38, before "residents" strike "psychiatry".

Page 7, line 34, strike "public sector psychiatry" and insert "**integrated behavioral health and addiction treatment**".

Page 7, line 37, strike "psychiatric".

Page 7, line 37, after "positions" delete "and" and insert ",".

Page 7, line 37, after "training" insert ",".

and when so amended that said bill do pass.

(Reference is to HB 1360 as introduced.)

CLERE, Chair

Committee Vote: yeas 10, nays 0.

