



February 28, 2014

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# ENGROSSED HOUSE BILL No. 1360

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DIGEST OF HB 1360 (Updated February 26, 2014 1:40 pm - DI 104)

**Citations Affected:** IC 21-44.

**Synopsis:** Addiction treatment and services. 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. Removes requirement for a unanimous vote by certain members to take action on the development program or training track program. Requires the board to meet at least quarterly each year. (Currently the board must meet at least twice a year.) Amends the purposes of the board. Adds the following persons as eligible for the loan forgiveness program: (1) psychiatrists pursuing fellowship training and certification in addiction psychiatry; (2) addiction counselors; and (3) mental health professionals. 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 certain psychiatrists may receive  
(Continued next page)

**Effective:** July 1, 2014.

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## Brown C, Clere

(SENATE SPONSORS — MILLER PATRICIA, HUME)

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January 15, 2014, read first time and referred to Committee on Public Health.  
January 23, 2014, amended, reported — Do Pass.  
January 28, 2014, read second time, amended, ordered engrossed.  
January 29, 2014, engrossed. Read third time, passed. Yeas 93, nays 0.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Health and Provider Services.  
February 27, 2014, amended, reported favorably — Do Pass.

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EH 1360—LS 6874/DI 77



Digest Continued

loan forgiveness grants for not more than five years. Requires the board to give consideration to annually funding two psychiatrists pursuing fellowship training and certification in addiction psychiatry. Requires the division of mental health and addiction to provide administrative support for the board and the integrated behavioral health and addiction treatment development program account. (The introduced version of this bill was prepared by the commission on mental health and addiction.)

**EH 1360—LS 6874/DI 77**



February 28, 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.

## ENGROSSED HOUSE BILL No. 1360

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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 21-44-1-3, AS AMENDED BY P.L.170-2009,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2014]: Sec. 3. (a) "Board", for purposes of IC 21-44-5, refers  
4 to the medical education board established by IC 21-44-5-1.  
5 (b) "Board", for purposes of IC 21-44-6, refers to the mental health  
6 **and addiction** services development programs board established by  
7 IC 21-44-6-1.  
8 SECTION 2. IC 21-44-6-1, AS ADDED BY P.L.170-2009,  
9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2014]: Sec. 1. There is established the mental health **and**  
11 **addiction** services development programs board.  
12 SECTION 3. IC 21-44-6-2, AS ADDED BY P.L.170-2009,  
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2014]: Sec. 2. The board consists of the following **ten (10)**  
15 members:

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- 1 (1) The dean of the Indiana University School of Medicine or the  
 2 dean's designee. The dean of the Indiana University School of  
 3 Medicine or the dean's designee shall serve as the chairperson of  
 4 the board.
- 5 (2) The chairperson of the department of psychiatry of the Indiana  
 6 University School of Medicine or the chairperson's designee.
- 7 (3) The director of the division of mental health and addiction  
 8 created by IC 12-21-1-1 or the director's designee.
- 9 (4) The commissioner of the state department of health or the  
 10 commissioner's designee.
- 11 **(5) The dean of the department of family practice of the**  
 12 **Marian University College of Osteopathic Medicine or the**  
 13 **dean's designee.**
- 14 ~~(5)~~ (6) The administrator of a graduate program in an institution  
 15 of higher education in Indiana engaged in training psychologists.
- 16 ~~(6)~~ (7) The administrator of a program in an institution of higher  
 17 education in Indiana engaged in training advanced practice  
 18 psychiatric nurses.
- 19 ~~(7)~~ (8) One (1) psychiatrist who practices psychiatry in Indiana.
- 20 **(9) The administrator of a program in an institution of higher**  
 21 **education in Indiana engaged in training addiction counselors.**
- 22 **(10) The director of the Indiana department of veterans'**  
 23 **affairs or the director's designee.**
- 24 The governor shall appoint the members of the board described in  
 25 subdivisions ~~(5)~~ (6) through ~~(7)~~: (9).
- 26 SECTION 4. IC 21-44-6-3, AS ADDED BY P.L.170-2009,  
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2014]: Sec. 3. The board shall meet ~~initially at the call of the~~  
 29 ~~governor. After the initial meeting, the board shall meet~~ at least twice  
 30 **quarterly** each year at the call of the chairperson.
- 31 SECTION 5. IC 21-44-6-4, AS ADDED BY P.L.170-2009,  
 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2014]: Sec. 4. (a) Each board member who is not a state  
 34 employee is not entitled to a salary per diem. The member is, however,  
 35 entitled to reimbursement for traveling expenses as provided under  
 36 IC 4-13-1-4 and other expenses actually incurred in connection with  
 37 the member's duties as provided in the state policies and procedures  
 38 established by the Indiana department of administration and approved  
 39 by the budget agency.
- 40 (b) Each member of the board who is a state employee is entitled to  
 41 reimbursement for traveling expenses as provided under IC 4-13-1-4  
 42 and other expenses actually incurred in connection with the member's



1 duties as provided in the state policies and procedures established by  
 2 the Indiana department of administration and approved by the budget  
 3 agency.

4 (c) ~~Except as provided in subsection (d);~~ The affirmative votes of a  
 5 majority of the members appointed to the board are required for the  
 6 board to take action on any measure.

7 (d) ~~The affirmative votes of a majority of the members appointed to~~  
 8 ~~the board including the unanimous votes of the members under section~~  
 9 ~~2(1), 2(2), and 2(7) of this chapter who are present, are required for the~~  
 10 ~~board to take any action: concerning the public sector psychiatry~~  
 11 ~~development program or the training track program.~~

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

15 (1) To establish and oversee a loan forgiveness program designed  
 16 to attract:

17 (A) psychiatrists, **including psychiatrists pursuing**  
 18 **fellowship training and certification in addiction**  
 19 **psychiatry;**

20 (B) psychologists; ~~and~~

21 (C) psychiatric nurses;

22 **(D) addiction counselors; and**

23 **(E) mental health professionals;**

24 to provide services to individuals with mental illness **and**  
 25 **addictive disorders** in ~~public psychiatry settings~~ **behavioral**  
 26 **health and addiction treatment settings** in Indiana by assisting  
 27 the individuals listed in this section to pay off loans incurred in  
 28 the training needed to practice psychiatry and psychology and as  
 29 a psychiatric nurse, **an addiction counselor, or a mental health**  
 30 **professional** in Indiana.

31 (2) To establish and oversee a ~~public sector psychiatry~~ **an**  
 32 **integrated behavioral health and addiction treatment**  
 33 development program to attract and train psychiatrists,  
 34 **psychologists, psychiatric nurses, addiction counselors, or**  
 35 **mental health professionals** who will engage in the practice of  
 36 ~~psychiatry~~ **integrated behavioral health and addiction**  
 37 **treatment in:**

38 (A) state mental health institutions;

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

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

41 ~~(D)~~ **(D) other behavioral health and addiction treatment**  
 42 settings determined by the board to be ~~public sector~~ **mental**



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



1            **public psychiatry an integrated behavioral health and**  
 2            **addiction treatment setting as described in section 5(2) or 5(3)**  
 3            **of this chapter** for each year of loan repayment.

4            ~~(4)~~ (5) A participant must be a practitioner who:

5            (A) is:

6            (i) from Indiana; and

7            (ii) ~~establishing~~ **accepting** a new ~~practice position~~ in  
 8            Indiana; or

9            (B) is:

10           (i) from outside Indiana;

11           (ii) not currently practicing in Indiana and has not practiced  
 12           in Indiana for three (3) years before applying for the  
 13           program; and

14           (iii) establishing a new practice in Indiana.

15           SECTION 8. IC 21-44-6-7, AS ADDED BY P.L.170-2009,  
 16           SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17           JULY 1, 2014]: Sec. 7. (a) As used in this section, "account" refers to  
 18           the mental health **and addiction** services loan forgiveness account  
 19           established in subsection (b).

20           (b) The mental health **and addiction** services loan forgiveness  
 21           account within the state general fund is established for the purpose of  
 22           providing grants for loan repayment under this chapter. The account  
 23           shall be administered by the board. Money in the account shall be used  
 24           to fund loan forgiveness grants under this chapter.

25           (c) The account consists of:

26           (1) appropriations made by the general assembly;

27           (2) grants; and

28           (3) gifts and bequests.

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

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

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

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



1           (b) The ~~public sector psychiatry~~ **integrated behavioral health and**  
 2 **addiction treatment** development program account within the state  
 3 general fund is established for the purpose of providing funding for the  
 4 ~~public sector psychiatry~~ **integrated behavioral health and addiction**  
 5 **treatment** development program established under this chapter. The  
 6 account shall be administered by the ~~board~~ **division of mental health**  
 7 **and addiction**. Money in the account shall be used to fund psychiatric  
 8 residency positions, **fellowship training, and certification in**  
 9 **addiction psychiatry**, including:

- 10           (1) educational expenses;  
 11           (2) grants and scholarships;  
 12           (3) salaries; and  
 13           (4) benefits.

14           (c) The account consists of:

- 15           (1) appropriations made by the general assembly;  
 16           (2) grants; and  
 17           (3) gifts and bequests.

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

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

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

26           **(g) The board shall give due consideration to annually funding**  
 27 **two (2) psychiatrists pursuing fellowship training and certification**  
 28 **in addiction psychiatry. A participant who is a psychiatrist**  
 29 **pursuing fellowship training and certification in addiction**  
 30 **psychiatry must agree to establish a new practice in Indiana for at**  
 31 **least five (5) years upon completion of the fellowship training and**  
 32 **certification in addiction psychiatry.**

33           SECTION 10. IC 21-44-6-9 IS ADDED TO THE INDIANA CODE  
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 35 1, 2014]: **Sec. 9. The division of mental health and addiction shall**  
 36 **provide 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.



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1360 be amended to read as follows:

Page 3, line 18, reset in roman "The dean of the Indiana University School of".

Page 3, reset in roman lines 19 through 20.

Page 3, line 35, after "Indiana" insert ".".

Page 3, delete lines 36 through 40.

Page 4, delete lines 5 through 17.

Page 5, line 12, reset in roman "and".

Page 5, line 13, delete "and".

Page 5, delete line 14.

Page 5, line 20, delete "or an addiction counselor".

Page 5, line 24, after "psychologists," insert "**and**".

Page 5, line 24, delete "nurses, and addiction counselors" and insert "**nurses**".

Page 6, line 21, reset in roman "or".

Page 6, line 22, delete "or addiction counselor,".

Page 8, line 14, delete "priority" and insert "**due consideration**".

(Reference is to HB 1360 as printed January 24, 2014.)

BROWN C

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1360 be amended to read as follows:

Page 1, delete lines 1 through 15.

Delete page 2.

Page 3, delete line 1.

Re-number all SECTIONS consecutively.

(Reference is to HB 1360 as printed January 24, 2014.)

BROWN T



## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1360, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 22, delete "A representative" and insert "**The director**".

Page 2, line 23, delete "." and insert "**or the director's designee**".

Page 2, line 25, delete "(10)." and insert "**(9)**".

Page 3, line 4, strike "Except as provided in subsection (d)."

Page 3, line 4, delete "the" and insert "The".

Page 3, strike line 7.

Page 3, line 8, strike "the board".

Page 3, line 9, strike "are required for the".

Page 3, line 10, strike "board to take any action".

Page 3, line 20, strike "and".

Page 3, between lines 21 and 22, begin a new line double block indented and insert:

**"(D) addiction counselors; and**

**(E) mental health professionals;"**

Page 3, line 27, after "nurse" insert ", **an addiction counselor, or a mental health professional**".

Page 3, line 31, delete "and".

Page 3, line 31, after "nurses" insert ", **addiction counselors, or mental health professionals**".

Page 4, line 28, strike "or".

Page 4, line 29, after "nurse," insert "**addiction counselor, or mental health professional,**".

Page 6, line 1, delete "state department of" and insert "**division of mental health and addiction**".

Page 6, line 2, delete "health".

Page 6, line 30, delete "state department of health" and insert "**division of mental health and addiction**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1360 as reprinted January 29, 2014.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 11, Nays 0.

EH 1360—LS 6874/DI 77

