

HOUSE BILL No. 1377

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-17-12; IC 10-17-12.1.

Synopsis: Mental health care for veterans with PTSD. Establishes the returning Hoosier warrior mental health wellness pilot program (pilot program). Provides that the Indiana department of veterans' affairs shall administer the pilot program. Provides that a qualified service member may receive certain financial assistance from the military family relief fund for treatment of posttraumatic stress disorder (PTSD). Provides that the pilot program is funded by the fund. Makes an appropriation to the fund.

Effective: Upon passage; July 1, 2023.

Moseley

January 17, 2023, read first time and referred to Committee on Veterans Affairs and Public Safety.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1377

A BILL FOR AN ACT to amend the Indiana Code concerning veterans' affairs and to make an appropriation.

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

1 SECTION 1. IC 10-17-12-0.7, AS AMENDED BY P.L.53-2021,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 0.7. The purpose of the fund established in section
4 8 of this chapter is to provide:

5 (1) short term financial assistance, including emergency one (1)
6 time grants, to families of qualified service members; **and**
7 (2) **necessary financial assistance to a qualified service**
8 **member under IC 10-17-12.1.**

9 SECTION 2. IC 10-17-12-8, AS AMENDED BY P.L.42-2020,
10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2023]: Sec. 8. (a) The military family relief fund is established
12 to provide:

13 (1) short term assistance with food, housing, utilities, medical
14 services, basic transportation, child care, education, employment
15 or workforce, and other essential family support expenses that
16 have become difficult to afford for qualified service members or
17 dependents of qualified service members; **and**



1 **(2) assistance under IC 10-17-12.1.**

2 (b) Except as provided in **IC 10-17-12.1** and section 9 of this
3 chapter, the department shall expend the money in the fund exclusively
4 to provide grants for assistance as described in subsection (a).

5 (c) The department shall give priority to applications for grants
6 **from the fund** for assistance ~~from the fund~~ **described in subsection**
7 **(a)(1)** to qualified service members or dependents of qualified service
8 members who have never received a grant under this chapter.

9 (d) Subject to the approval of the budget agency, the commission
10 shall establish the maximum total dollar amount of grants **for**
11 **assistance described in subsection (a)(1)** that may be expended in a
12 state fiscal year. Once the maximum total dollar amount of grants that
13 may be expended in a state fiscal year is reached, no additional grants
14 may be authorized until the start of the following state fiscal year.

15 (e) The director shall each year provide a report to the budget
16 committee concerning the grant program under this chapter.

17 (f) A qualified service member or the qualified service member's
18 dependent may be eligible to receive assistance from the fund **for**
19 **assistance described in subsection (a)(1).**

20 (g) The commission shall administer the fund.

21 SECTION 3. IC 10-17-12.1 IS ADDED TO THE INDIANA CODE
22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2023]:

24 **Chapter 12.1. Returning Hoosier Warrior Mental Health**
25 **Wellness Pilot Program**

26 **Sec. 1. The definitions in IC 10-17-12 apply throughout this**
27 **chapter.**

28 **Sec. 2. As used in this chapter, "DSM" refers to the most recent**
29 **edition of the American Psychiatric Association's Diagnostic and**
30 **Statistical Manual of Mental Disorders.**

31 **Sec. 3. As used in this chapter, "program" refers to the**
32 **returning Hoosier warrior mental health wellness pilot program**
33 **established by section 5 of this chapter.**

34 **Sec. 4. As used in this chapter, "PTSD" refers to posttraumatic**
35 **stress disorder.**

36 **Sec. 5. (a) The returning Hoosier warrior mental health wellness**
37 **pilot program is established to provide financial assistance from**
38 **the fund to a qualified service member for nonreimbursed costs**
39 **associated with the treatment of PTSD resulting from the qualified**
40 **service member's service in the armed forces of the United States**
41 **or national guard.**

42 **(b) In order for a qualified service member to qualify for**



1 assistance from the program, the qualified service member must:

- 2 (1) be an Indiana resident;
- 3 (2) be diagnosed with PTSD by the qualified service member's
- 4 treating physician based on the diagnostic criteria identified
- 5 in the DSM-5;
- 6 (3) submit an application to the department on a form and in
- 7 the manner prescribed by the department;
- 8 (4) certify in writing to the department that the financial
- 9 assistance will be used only for counseling, medication, or
- 10 other medical expenses described in subsection (d) directly
- 11 related to the treatment of PTSD that are not paid or
- 12 reimbursed from any other source; and
- 13 (5) agree to provide the department with any information
- 14 necessary for the department to administer this chapter.

15 (c) Upon review of the qualified service member's application

16 under this section, the department shall provide financial

17 assistance to a qualified service member who:

- 18 (1) satisfies the requirements described in subsection (b); and
- 19 (2) provides documentation necessary for the department to
- 20 verify the amount of financial assistance required for
- 21 counseling, medication, or other medical expenses described
- 22 in subsection (d) that are not paid or reimbursed from any
- 23 other source.

24 (d) Financial assistance received under subsection (c) may be

25 used to pay expenses related to the treatment of PTSD not paid or

26 reimbursed from any other source for:

- 27 (1) counseling provided by a psychiatrist, a psychologist, or a
- 28 mental health counselor licensed under IC 25-23.6-8.5;
- 29 (2) prescription medication; and
- 30 (3) any other medical or counseling services or equipment
- 31 approved by the department.

32 **Sec. 6.** The commission may adopt rules under IC 4-22-2

33 necessary to administer this chapter.

34 **Sec. 7.** This chapter expires July 1, 2025.

35 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) The definitions

36 in IC 10-17-12, as amended by this act, and IC 10-17-12.1, as added

37 by this act, apply throughout this SECTION.

38 (b) Notwithstanding SECTION 26 of HEA 1001-2021 (P.L.

39 165-2021), before July 1, 2023, the auditor of state shall transfer to

40 the fund ten million dollars (\$10,000,000) from funds made

41 available to the state under the American Rescue Plan Act of 2021

42 (P.L. 117-2) appropriated to the family and social services



1 administration for purposes of carrying out IC 10-17-12.1, as
2 added by this act. However, the budget agency may substitute
3 funds appropriated to a state agency under SECTION 26 of HEA
4 1001-2021 (P.L. 165-2021) other than the family and social services
5 agency if the funds have been designated for use by the state
6 agency. Funds transferred to the fund under this SECTION shall
7 not revert to the state general fund.

8 (c) This SECTION expires July 1, 2025.

9 SECTION 5. An emergency is declared for this act.

