

HOUSE BILL No. 1462

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-21-2-18.

Synopsis: Emergency department substance use plans. Requires an emergency department to: (1) annually submit to the Indiana department of health (department) a plan to initiate interventions with patients who have a substance use related emergency department visit; and (2) implement a continuing education and training program to emergency department personnel on substance use disorder and best practices for emergency medical care delivery for patients who are most at risk of dying after emergency room discharge. Provides that the services provided to a patient under a substance use disorder treatment plan provided to the department are considered to be medically necessary. Provides that the office of the secretary of family and social services shall require managed care organizations to consider services provided to an individual under a substance use disorder treatment plan as medically necessary.

Effective: July 1, 2023.

Vermilion, Olthoff

January 17, 2023, read first time and referred to Committee on Public Health.



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.

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

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

- 1 SECTION 1. IC 16-21-2-18 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2023]: **Sec. 18. (a) This section applies to an emergency**
- 4 **department that is owned or operated by hospital licensed under**
- 5 **IC 16-21.**
- 6 **(b) As used in this section, "substance use disorder" includes:**
- 7 **(1) opioid use disorder;**
- 8 **(2) alcohol use disorder; and**
- 9 **(3) any other substance use disorder determined by the state**
- 10 **department.**
- 11 **(c) Before December 31 of each year, an emergency department**
- 12 **must submit a substance use disorder treatment plan with the state**
- 13 **department for the subsequent year to initiate interventions with**
- 14 **patients who have a substance use related emergency department**
- 15 **visit. The plan must include the following:**
- 16 **(1) A detailed protocol to connect patients with substance use**
- 17 **disorders to treatment, prevention, recovery, peer support**



- 1 services, and harm reduction services upon discharge from
2 the emergency department.
- 3 (2) An incorporation of the screening, brief intervention, and
4 referral to treatment screening tool.
- 5 (3) A procedure to initiate or connect substance use patients
6 to medication assisted treatment for addiction disorders,
7 including:
- 8 (A) treatment for opioid use disorder and alcohol use
9 disorder; and
- 10 (B) providing immediate access to:
- 11 (i) naloxone;
- 12 (ii) an opioid antagonist that can reverse opioid
13 overdoses; and
- 14 (iii) all federal Food and Drug Administration approved
15 medications for the treatment of opioid use disorder and
16 alcohol use disorder.
- 17 (4) An analysis of the emergency department's ability to and
18 a plan to:
- 19 (A) begin initiation of medication before discharge; and
- 20 (B) coordinate outpatient medication referrals upon
21 discharge.
- 22 (d) The services provided to a patient under a substance use
23 disorder treatment plan provided to the state department under
24 this section are considered to be medically necessary.
- 25 (e) The office of the secretary of family and social services shall
26 require managed care organizations to consider services provided
27 to an individual under a substance use disorder treatment plan that
28 is provided to the state department as medically necessary.
- 29 (f) After December 31, 2023, an emergency department must
30 implement a continuing education and training program to
31 emergency department personnel on:
- 32 (1) substance use disorder; and
- 33 (2) best practices for emergency medical care delivery for
34 patients who are most at risk of dying after emergency room
35 discharge.
- 36 (g) The state department may adopt rules under IC 4-22-2 to
37 implement this chapter.

