

HOUSE BILL No. 1526

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-30-2-156.4; IC 36-8.

Synopsis: Mental health professionals. Allows a political subdivision, in consultation with the technical assistance center, to contract with mental health providers for the purpose of supplementing existing crisis intervention teams with mental health professionals. Specifies certain eligibility requirements for mental health professionals seeking an appointment to a crisis intervention team. Requires a mental health professional that is appointed to a crisis intervention team to accompany responding law enforcement or police officers to a call involving a mental health or substance abuse disorder crisis. Provides that a law enforcement or police officer (officer) may not be held liable for damages, including punitive damages, for any act or omission related to a mental health professional's contribution to a crisis intervention team or a crisis intervention team response. Specifies that no other person or entity may be held liable for certain damages by reason of an agency relationship with an officer. Defines certain terms.

Effective: July 1, 2021.

Harris

January 14, 2021, read first time and referred to Committee on Public Health.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1526

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

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

- 1 SECTION 1. IC 34-30-2-156.4 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2021]: **Sec. 156.4. IC 36-8-23.5-9 (Concerning**
- 4 **crisis intervention teams and mental health professionals).**
- 5 SECTION 2. IC 36-8-1-5.5 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2021]: **Sec. 5.5. "Crisis intervention team" has the meaning set**
- 8 **forth in IC 36-8-23.5-1.**
- 9 SECTION 3. IC 36-8-1-9.5 IS ADDED TO THE INDIANA CODE
- 10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 11 1, 2021]: **Sec. 9.5. "Mental health professional" has the meaning set**
- 12 **forth in IC 36-8-23.5-2.**
- 13 SECTION 4. IC 36-8-1-9.8 IS ADDED TO THE INDIANA CODE
- 14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 15 1, 2021]: **Sec. 9.8. "Political subdivision" has the meaning set forth**
- 16 **in IC 36-8-23.5-3.**
- 17 SECTION 5. IC 36-8-1-11.5 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2021]: **Sec. 11.5. "Technical assistance center" has the meaning**
3 **set forth in IC 36-8-23.5-4.**

4 SECTION 6. IC 36-8-23.5 IS ADDED TO THE INDIANA CODE
5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2021]:

7 **Chapter 23.5. Crisis Intervention Teams and Mental Health**
8 **Professionals**

9 **Sec. 1. As used in this chapter, "crisis intervention team" has**
10 **the meaning set forth in IC 5-2-1-2(7).**

11 **Sec. 2. As used in this chapter, "mental health professional"**
12 **means a:**

- 13 (1) mental health counselor licensed under IC 25-23.6-8.5;
- 14 (2) psychologist; or
- 15 (3) psychiatrist.

16 **Sec. 3. As used in this chapter, "political subdivision" means a**
17 **county, township, city, or town.**

18 **Sec. 4. As used in this chapter, "technical assistance center" has**
19 **the meaning set forth in IC 5-2-21.2-5.**

20 **Sec. 5. A political subdivision, in consultation with the technical**
21 **assistance center, may contract with a mental health professional**
22 **for the purpose of supplementing an existing crisis intervention**
23 **team with an on call mental health professional. A mental health**
24 **professional described under this section must:**

- 25 (1) have training in the treatment of substance abuse
- 26 disorders and mental health disorders; and
- 27 (2) possess expertise in one (1) or more of the following areas
- 28 to be eligible for an appointment to an existing crisis
- 29 intervention team:

- 30 (A) Trauma informed care.
- 31 (B) Deescalation techniques.
- 32 (C) Crisis communication.

33 **Sec. 6. If an emergency dispatch involves a mental health or**
34 **substance abuse disorder crisis, the on call mental health**
35 **professional described in section 5 of this chapter shall, to the**
36 **extent practicable, accompany responding law enforcement or**
37 **police officers to the scene for the purpose of providing:**

- 38 (1) on-site guidance to responding officers;
- 39 (2) on-site treatment to persons in crisis;
- 40 (3) coordination and referrals for follow-up care and
- 41 wraparound services; and
- 42 (4) any other treatment, assistance, or guidance deemed



1 necessary by the mental health professional.
2 **Sec. 7. The technical assistance center:**
3 **(1) shall establish guidelines; and**
4 **(2) may adopt rules under IC 4-22-2;**
5 **in order to implement this chapter.**
6 **Sec. 8. Nothing in this chapter may be construed to authorize**
7 **the exercise of any police power by a mental health professional**
8 **described in section 5 of this chapter.**
9 **Sec. 9. A law enforcement officer or police officer may not be**
10 **held liable for damages, including punitive damages, for any act or**
11 **omission related to a mental health professional's contribution to**
12 **a crisis intervention team or a crisis intervention team response. If**
13 **a law enforcement officer or police officer is not liable for an act or**
14 **omission under this section, no other person or entity incurs**
15 **liability by reason of an agency relationship with the applicable law**
16 **enforcement officer or police officer.**

