



February 1, 2019

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## HOUSE BILL No. 1542

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DIGEST OF HB 1542 (Updated January 30, 2019 6:43 pm - DI 77)

**Citations Affected:** IC 12-8; IC 12-15; IC 12-21; IC 25-23.6.

**Synopsis:** Mental health and addiction services. Requires that the office of the secretary of family and social services prepare and submit a report that: (1) identifies certain administrative and reporting requirements that are unnecessary or overly burdensome; and (2) makes recommendations. Provides that a managed care organization may not require a licensed psychiatrist to be certified by the American Board of Psychiatry and Neurology for purposes of credentialing or contracting with the psychiatrist while the psychiatrist is practicing at a community mental health center. Prohibits the division of mental health and addiction from implementing certain federal regulations concerning home and community based standards before the final date required by the United States Department of Health and Human Services to implement the regulation. Requires the behavioral health and human services licensing board to meet monthly.

**Effective:** July 1, 2019.

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### Kirchhofer

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January 17, 2019, read first time and referred to Committee on Public Health.  
January 31, 2019, amended, reported — Do Pass.

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HB 1542—LS 7497/DI 77





February 1, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1542

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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 12-8-1.5-19 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]: **Sec. 19. (a) Before October 1, 2019, the office of the**  
4 **secretary of family and social services shall prepare and submit a**  
5 **report as described in subsection (b) to the legislative council in an**  
6 **electronic format under IC 5-14-6.**

7 (b) The office of the secretary shall conduct a comprehensive  
8 study of the health programs that the office of the secretary  
9 administers or oversees, including programs administered by  
10 managed care programs under IC 12-15-12 and programs  
11 contracted with the office of Medicaid policy and planning. The  
12 report must:

13 (1) identify administrative and reporting requirements by  
14 health providers under contract with the office of the  
15 secretary that are unnecessary or overly burdensome; and  
16 (2) include recommendations for reductions in administrative  
17 burdens related to the administration and oversight described

HB 1542—LS 7497/DI 77



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**in this subsection.**

**(c) This section expires July 1, 2020.**

SECTION 2. IC 12-15-12-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 23. A managed care organization may not require a psychiatrist who is licensed under IC 25-22.5 to be certified by the American Board of Psychiatry and Neurology for purposes of credentialing or contracting with the psychiatrist while the psychiatrist is practicing at a community mental health center.**

SECTION 3. IC 12-21-2-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 10. (a) The division may not implement any federal regulation that:**

**(1) is adopted by the United States Department of Health and Human Services under 42 CFR Parts 430, 431, 435, 436, 440, 441, or 447; and**

**(2) concerns home and community based standards; before the final date required by the United States Department of Health and Human Services to implement the regulation.**

**(b) Nothing in this section prohibits the division from adopting rules under IC 4-22-2 to implement the federal home and community based standards, if the rule is not enforced before the final date required by the United States Department of Health and Human Services to implement the regulation.**

**(c) This section expires July 1, 2021.**

SECTION 4. IC 25-23.6-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6. The board shall meet at least one (1) time each year: monthly.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1542, 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 2, delete lines 3 through 42.

Page 3, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1542 as introduced.)

KIRCHHOFER

Committee Vote: yeas 12, nays 0.

