



April 12, 2019

ENGROSSED HOUSE BILL No. 1542

DIGEST OF HB 1542 (Updated April 11, 2019 11:34 am - DI 125)

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

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. Requires the behavioral health and human services licensing board to meet monthly. Urges the legislative council to study the topic of whether behavior analysts should be licensed rather than certified in Indiana.

Effective: Upon passage; July 1, 2019.

Kirchhofer, Shackelford, Judy, Klinker

(SENATE SPONSORS — CRIDER, CHARBONNEAU)

January 17, 2019, read first time and referred to Committee on Public Health.
January 31, 2019, amended, reported — Do Pass.
February 4, 2019, read second time, ordered engrossed.
February 5, 2019, engrossed.
February 7, 2019, read third time, passed. Yeas 95, nays 1.

SENATE ACTION

March 4, 2019, read first time and referred to Committee on Health and Provider Services.
April 4, 2019, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
April 11, 2019, amended, reported favorably — Do Pass.

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April 12, 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.

ENGROSSED HOUSE BILL No. 1542

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 12-8-1.5-17.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 17.5. (a) Before October 1, 2019,**
4 **the office of the secretary of family and social services shall**
5 **prepare and submit a report as described in subsection (b) to the**
6 **legislative council in an 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**

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- 1 **in this subsection.**
- 2 **(c) This section expires July 1, 2020.**
- 3 SECTION 2. IC 12-15-12-23 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2019]: **Sec. 23. A managed care organization**
- 6 **may not require a psychiatrist who is licensed under IC 25-22.5 to**
- 7 **be certified by the American Board of Psychiatry and Neurology**
- 8 **for purposes of credentialing or contracting with the psychiatrist**
- 9 **while the psychiatrist is practicing at a community mental health**
- 10 **center.**
- 11 SECTION 3. IC 25-23.6-2-6 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The board shall meet
- 13 at least one (1) time each year: **monthly.**
- 14 SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) The legislative**
- 15 **council is urged to assign to an appropriate interim study**
- 16 **committee, for study during the 2019 interim of the general**
- 17 **assembly, the topic of whether behavior analysts and assistant**
- 18 **behavior analysts should be licensed rather than certified in**
- 19 **Indiana.**
- 20 **(b) If the legislative council assigns the topic under subsection**
- 21 **(a), the study must include consideration of the following:**
- 22 **(1) The benefits to a behavior analyst or assistant behavior**
- 23 **analyst in changing from certification to licensure.**
- 24 **(2) The role of a nonstate entity in the testing and licensure of**
- 25 **a behavior analyst or assistant behavior analyst.**
- 26 **(3) Whether a separate board within the professional licensing**
- 27 **agency would be necessary in the licensure.**
- 28 **(c) If the legislative council makes the assignment described in**
- 29 **subsection (a), the interim study committee shall, not later than**
- 30 **November 1, 2019, report the results of the study and any**
- 31 **recommendations for legislation to the legislative council in an**
- 32 **electronic format under IC 5-14-6.**
- 33 **(d) This SECTION expires January 1, 2020.**
- 34 SECTION 5. An emergency is declared for this act.



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.

Re-number 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.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1542, 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 1, line 1, delete "IC 12-8-1.5-19" and insert "IC 12-8-1.5-17.5".

Page 1, line 3, delete "19." and insert "17.5".

Page 2, after line 29, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee, for study during the 2019 interim of the general assembly, the topic of whether behavior analysts and assistant behavior analysts should be licensed rather than certified in Indiana.

(b) If the legislative council assigns the topic under subsection (a), the study must include consideration of the following:

- (1) The benefits to a behavior analyst or assistant behavior analyst in changing from certification to licensure.**
- (2) The role of a nonstate entity in the testing and licensure of a behavior analyst or assistant behavior analyst.**
- (3) Whether a separate board within the professional licensing**



agency would be necessary in the licensure.

(c) If the legislative council makes the assignment described in subsection (a), the interim study committee shall, not later than November 1, 2019, report the results of the study and any recommendations for legislation to the legislative council in an electronic format under IC 5-14-6.

(d) This SECTION expires January 1, 2020.

SECTION 6. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1542 as printed February 1, 2019.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1542, 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, delete lines 11 through 26.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to EHB 1542 as printed April 5, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

