

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 ENROLLED ACT No. 1548

AN ACT to amend the Indiana Code concerning Medicaid.

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

SECTION 1. IC 12-15-33-3, AS AMENDED BY P.L.114-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. **(a)** The committee shall be appointed as follows:

- (1) One (1) member shall be appointed by the administrator of the office to represent each of the following organizations:
 - (A) Indiana Council of Community Mental Health Centers.
 - (B) Indiana State Medical Association.
 - (C) Indiana State Chapter of the American Academy of Pediatrics.
 - (D) Indiana Hospital Association.
 - (E) Indiana Dental Association.
 - (F) Indiana State Psychiatric Association.
 - (G) Indiana State Osteopathic Association.
 - (H) Indiana State Nurses Association.
 - (I) Indiana State Licensed Practical Nurses Association.
 - (J) Indiana State Podiatry Association.
 - (K) Indiana Health Care Association.
 - (L) Indiana Optometric Association.
 - (M) Indiana Pharmaceutical Association.
 - (N) Indiana Psychological Association.
 - (O) Indiana State Chiropractic Association.

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- (P) Indiana Ambulance Association.
- (Q) Indiana Association for Home Care.
- (R) Indiana Academy of Ophthalmology.
- (S) Indiana Speech and Hearing Association.
- (T) Indiana Academy of Physician Assistants.
- (U) Indiana Association of Rehabilitation Facilities.
- (V) Indiana Association of Health Plans.**
- (W) Indiana Primary Health Care Association.**

(2) Ten (10) members shall be appointed by the governor as follows:

- (A) One (1) member who represents agricultural interests.
- (B) One (1) member who represents business and industrial interests.
- (C) One (1) member who represents labor interests.
- (D) One (1) member who represents insurance interests.
- (E) One (1) member who represents a statewide taxpayer association.
- (F) Two (2) members who are parent advocates.
- (G) Three (3) members who represent Indiana citizens.

(3) ~~One (1) member~~ **Six (6) members** shall be appointed by the president pro tempore of the senate acting in the capacity as president pro tempore of the senate to represent the senate. **Three (3) of the members appointed under this subdivision shall serve on the standing fiscal subcommittee created under section 8(b) of this chapter.**

(4) ~~One (1) member~~ **Six (6) members** shall be appointed by the speaker of the house of representatives to represent the house of representatives. **Three (3) of the members appointed under this subdivision shall serve on the standing fiscal subcommittee created under section 8(b) of this chapter.**

(b) Notwithstanding subsection (a)(3), after consultation with the minority leader of the senate, the president pro tempore of the senate shall appoint three (3) of the members from the minority party of the senate.

(c) Notwithstanding subsection (a)(4), after consultation with the minority leader of the house of representatives, the speaker of the house shall appoint three (3) of the members from the minority party of the house.

SECTION 2. IC 12-15-33-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. **(a)** A subcommittee may be created as the committee considers necessary.

(b) The committee shall create a standing fiscal subcommittee.



(c) The chairman of each subcommittee must be a member of the committee.

(d) Subcommittees may convene as often as needed.

SECTION 3. IC 12-15-33-9.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 9.5. (a) The committee shall review, study, and make advisory recommendations concerning the following subjects:**

- (1) Emergency department coverage and reimbursement to providers.**
- (2) The reporting of Medicaid prior authorization denials by Medicaid managed care entities, excluding pharmacies.**
- (3) The reporting of Medicaid denials based on:**
 - (A) administrative and medically necessary criteria; or**
 - (B) errors or omissions made by the managed care entity.**
- (4) Prompt payment to providers for claims:**
 - (A) within thirty (30) days;**
 - (B) within ninety (90) days;**
 - (C) within one hundred eighty (180) days; and**
 - (D) over three hundred sixty-five (365) days.**
- (5) The provider appeals process for administrative and medically necessary Medicaid denials and the resolution of appeals, including rates of reversal.**
- (6) The central credentialing portal.**
- (7) Policy changes to the Medicaid program with an implementation period for providers or managed care entities of more than thirty (30) days.**
- (8) The reporting of Medicaid denials due to retro-eligibility status.**
- (9) Other subjects, as the committee considers necessary.**

(b) This section expires July 1, 2021.

SECTION 4. IC 12-15-33-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 10. (a) Appointed members of the committee other than members of the general assembly are entitled to receive travel allowance to and from regular or special meetings in accordance with the amounts set by and the provisions of the budget committee for state employees.**

(b) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be



paid from appropriations made to the legislative council or the legislative services agency.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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