

# HOUSE BILL No. 1600

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-15-2-16.2; IC 31-25-2-21; IC 31-34-21-7.6; IC 31-37.

**Synopsis:** Medicaid eligibility of former foster children. Sets forth Medicaid eligibility for individuals who: (1) are at least 18 years of age or emancipated; (2) received foster care in Indiana and in other states before residing in Indiana for at least six months; and (3) are less than 26 years of age. Requires the office of the secretary of family and social services to verify an individual's status as a foster care recipient with another state if the individual received foster care in the other state. Requires the department of child services (department), in cooperation with the office of Medicaid policy and planning (office), to enroll individuals, who received foster care in Indiana and are turning 18 years of age, in the Medicaid program as part of the individuals' transitional services plan. Prohibits the office from requiring the individual to submit eligibility information after enrolling in the Medicaid program during the individual's Medicaid eligibility as a former foster child. Requires the department to provide information concerning the individual's Medicaid enrollment to the individual.

**Effective:** July 1, 2017.

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January 23, 2017, read first time and referred to Committee on Family, Children and Human Affairs.

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First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1600

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 12-15-2-16.2 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2017]: **Sec. 16.2. (a) An individual who:**  
4 **(1) received foster care for at least six (6) months in Indiana;**  
5 **(2) is:**  
6 **(A) at least eighteen (18) years of age; or**  
7 **(B) emancipated; and**  
8 **(3) is less than twenty-six (26) years of age;**  
9 **is eligible to receive Medicaid as set forth in 42 U.S.C.**  
10 **1396a(10)(A)(i)(IX).**  
11 **(b) The office shall assist the department of child services in the**  
12 **enrollment of an individual described in subsection (a) before the**  
13 **individual becomes eighteen (18) years of age or is emancipated**  
14 **from the foster care program.**  
15 **(c) An individual who:**  
16 **(1) received foster care for at least six (6) months in another**  
17 **state;**



1           **(2) is residing in Indiana;**  
 2           **(3) is at least eighteen (18) years of age or emancipated; and**  
 3           **(4) is less than twenty-six (26) years of age;**  
 4           **is eligible to receive Medicaid. The office shall verify with the other**  
 5           **state that the individual received foster care in that state for the**  
 6           **time required in subdivision (1).**

7           **(d) The office may not require an individual described in**  
 8           **subsection (a) or (c) to submit eligibility information to the office**  
 9           **after the individual's enrollment in the Medicaid program during**  
 10           **the individual's eligibility for the Medicaid program under this**  
 11           **section.**

12           SECTION 2. IC 31-25-2-21, AS AMENDED BY P.L.104-2015,  
 13           SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14           JULY 1, 2017]: Sec. 21. (a) As used in this section, "transitional  
 15           services plan" means a plan that provides information concerning the  
 16           following to an individual described in subsection (b):

- 17           (1) Education.  
 18           (2) Employment.  
 19           (3) Housing.  
 20           (4) Health care, **including information concerning the**  
 21           **individual's eligibility and participation in the Medicaid**  
 22           **program.**  
 23           (5) Development of problem solving skills.  
 24           (6) Available local, state, and federal financial assistance.

25           (b) The department shall implement a program that provides a  
 26           transitional services plan to the following:

- 27           (1) An individual who has become or will become:  
 28           (A) eighteen (18) years of age; or  
 29           (B) emancipated;  
 30           while receiving foster care.  
 31           (2) An individual who:  
 32           (A) is at least eighteen (18) but less than twenty (20) years of  
 33           age; and  
 34           (B) is receiving collaborative care under IC 31-28-5.8.

35           (c) A transitional services plan for an individual described in  
 36           subsection (b) shall contain a document that:

- 37           (1) describes the rights of the individual with respect to:  
 38           (A) education, health, visitation, and court participation;  
 39           (B) the right to be provided with the individual's medical  
 40           documents and any other medical information; and  
 41           (C) the right to stay safe and avoid exploitation; and  
 42           (2) includes a signed acknowledgment by the individual that the:



- 1 (A) individual has been provided with a copy of the document  
 2 described in subdivision (1); and  
 3 (B) rights contained in the document have been explained to  
 4 the individual in an age appropriate manner.
- 5 (d) The individual's child representatives selected by the individual  
 6 under IC 31-34-15-7 or IC 31-37-19-1.7 may participate in the  
 7 development of a transitional services plan for the individual.
- 8 **(e) The department, as part of the program described in this**  
 9 **section, in cooperation with the office of Medicaid policy and**  
 10 **planning, shall include, as part of the transitional services plan for**  
 11 **an individual described in subsection (b), the enrollment of the**  
 12 **individual in the Medicaid program.**
- 13 ~~(e)~~ **(f)** The department shall adopt rules under IC 4-22-2, including  
 14 emergency rules under IC 4-22-2-37.1, necessary to implement the  
 15 program described in this section.
- 16 SECTION 3. IC 31-34-21-7.6, AS ADDED BY P.L.104-2015,  
 17 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2017]: Sec. 7.6. (a) This section applies to an individual who:  
 19 (1) is leaving foster care because the individual is eighteen (18)  
 20 years of age or older; and  
 21 (2) has been in foster care for at least six (6) months.
- 22 (b) Before an individual described in subsection (a) leaves foster  
 23 care, the department shall provide to the individual all the following  
 24 documents that are applicable to the individual:  
 25 (1) An official or certified copy of the individual's United States  
 26 birth certificate.  
 27 (2) A Social Security card issued for the individual by the Social  
 28 Security Administration.  
 29 (3) Insurance records.  
 30 (4) A copy of the individual's medical records.  
 31 (5) A driver's license or identification card issued by the state.  
 32 **(6) Information concerning the individual's enrollment in the**  
 33 **Medicaid program.**
- 34 SECTION 4. IC 31-37-20-8, AS ADDED BY P.L.187-2015,  
 35 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2017]: Sec. 8. (a) This section applies to an individual who:  
 37 (1) is leaving foster care because the individual is at least  
 38 eighteen (18) years of age; and  
 39 (2) has been in foster care for at least six (6) months.
- 40 (b) Before an individual described in subsection (a) leaves foster  
 41 care, the probation officer shall provide to the individual the following  
 42 documents that are applicable to the individual:



- 1 (1) An official or certified copy of the individual's United States  
 2 birth certificate.  
 3 (2) A Social Security card issued for the individual by the Social  
 4 Security Administration.  
 5 (3) Insurance records for the individual.  
 6 (4) A copy of the individual's medical records.  
 7 (5) The individual's driver's license or identification card issued  
 8 by the state.  
 9 **(6) Information concerning the individual's enrollment in the**  
 10 **Medicaid program.**  
 11 SECTION 5. IC 31-37-22-10, AS ADDED BY P.L.187-2015,  
 12 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2017]: Sec. 10. (a) This section applies to an individual who:  
 14 (1) is leaving foster care because the individual is eighteen (18)  
 15 years of age or older; and  
 16 (2) has been in foster care for at least six (6) months.  
 17 (b) Before an individual described in subsection (a) leaves foster  
 18 care, the probation officer shall provide to the individual all the  
 19 following documents that are applicable to the individual:  
 20 (1) An official or certified copy of the individual's United States  
 21 birth certificate.  
 22 (2) A Social Security card issued for the individual by the Social  
 23 Security Administration.  
 24 (3) Insurance records.  
 25 (4) A copy of the individual's medical records.  
 26 (5) A driver's license or identification card issued by the state.  
 27 **(6) Information concerning the individual's enrollment in the**  
 28 **Medicaid program.**

