



February 2, 2018

SENATE BILL No. 96

DIGEST OF SB 96 (Updated February 1, 2018 9:09 am - DI 84)

Citations Affected: IC 10-17.

Synopsis: Veterans pilot program. Extends to 2020 the veterans pilot program that provides assistance for certain providers to provide diagnostic testing and hyperbaric oxygen treatment to veterans. (Under current law, the program expires June 30, 2019.)

Effective: July 1, 2018.

**Delph, Sandlin, Charbonneau, Ford,
Niezgodski**

January 3, 2018, read first time and referred to Committee on Health and Provider Services.
January 25, 2018, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 1, 2018, reported favorably — Do Pass.

SB 96—LS 6336/DI 109



February 2, 2018

Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 96

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

- 1 SECTION 1. IC 10-17-13.5-4, AS ADDED BY P.L.217-2017,
2 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 4. (a) The department may make grants to
4 qualified entities to be used for the purpose of providing services to
5 veterans, including the following:
6 (1) Programs focused on eliminating homelessness, preventing
7 near term homelessness, and providing safe and secure living
8 conditions.
9 (2) Assisting veterans in moving from public housing assistance
10 programs to:
11 (A) home ownership; or
12 (B) stable, long term rental status.
13 A grant under this chapter for the purpose specified in clause (B)
14 may include up to nine (9) months of rental assistance.
15 (3) Assisting veterans in finding and using available federal and
16 state resources.
17 (4) Providing therapeutic services.

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1 (5) Providing job training and job search assistance.

2 (b) The department may make grants to the provider chosen by the
3 state department of health under section 6 of this chapter to be used for
4 the purpose of providing assistance to the provider to provide
5 diagnostic testing and hyperbaric oxygen treatment to veterans
6 receiving treatment under the pilot program established under section
7 6 of this chapter. However, a grant under this chapter may not be
8 awarded for the purposes specified in this subsection unless the state
9 department of health has adopted the rules required by section 5 6(g)
10 of this chapter. In addition, a grant may not be awarded for the
11 purposes specified in this subsection after the expiration of the pilot
12 program established under section 6 of this chapter.

13 SECTION 2. IC 10-17-13.5-6, AS ADDED BY P.L.217-2017,
14 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2018]: Sec. 6. (a) As used in this section, "hyperbaric oxygen
16 treatment" means treatment for traumatic brain injury or posttraumatic
17 stress disorder that is ordered by a health care provider and delivered
18 in a hyperbaric chamber.

19 (b) The department shall establish a pilot program for the purpose
20 of providing assistance for the provider that has been approved by the
21 state department of health to provide diagnostic testing and hyperbaric
22 oxygen treatment to veterans receiving treatment under section 4(b) of
23 this chapter.

24 (c) The state department of health shall issue a request for proposals
25 to select one (1) provider that is eligible to offer the treatment
26 described in section 4(b) of this chapter.

27 (d) An individual veteran is eligible to begin treatment if the service
28 related event that caused the traumatic brain injury or posttraumatic
29 stress disorder happened within the past twelve (12) months.

30 (e) An individual veteran must pay a co-pay equal to ten percent
31 (10%) of the cost of treatment billed to the department or the state
32 department of health.

33 (f) A grant under the pilot program established under subsection (b)
34 may be provided only to the provider chosen by the state department of
35 health to provide diagnostic testing and hyperbaric oxygen treatment
36 to veterans.

37 (g) The state department of health, after consulting with the
38 department, shall adopt rules under IC 4-22-2 to implement section
39 4(b) of this chapter, including standards for the following:

40 (1) Determination by the provider that an individual is a veteran
41 eligible for participation in the program.

42 (2) Determination by the state department of health that the



- 1 provider is eligible to participate in the program, including:
 2 (A) a requirement that the provider must maintain compliance
 3 with applicable fire codes, treatment protocols, and state
 4 department of health oversight; and
 5 (B) other facility standards determined by the state department
 6 of health.
- 7 (3) Treatment plan requirements, including the following:
 8 (A) A provider's submission to the state department of health,
 9 before providing hyperbaric oxygen treatment to a veteran, of
 10 a treatment plan that includes:
 11 (i) a health care provider's prescription for hyperbaric
 12 oxygen treatment;
 13 (ii) verification by the provider that the veteran is eligible
 14 for participation in the program and voluntarily accepts
 15 treatment through the program;
 16 (iii) an estimate of the cost of the veteran's treatment; and
 17 (iv) any other information required by the state department
 18 of health.
- 19 (B) A reasonable time frame for:
 20 (i) approval or disapproval by the state department of health
 21 of a treatment plan described in clause (A); and
 22 (ii) notice to the provider of approval or disapproval of the
 23 treatment plan.
- 24 (C) Contingent on sufficient funding available in the fund,
 25 approval of each treatment plan that meets the requirements
 26 established by the state department of health under this
 27 section.
- 28 (D) The sources of funding for the estimated treatment cost for
 29 each veteran whose treatment plan is approved under this
 30 section.
- 31 (4) Criteria for approval of payment for treatment that has been
 32 verified by the state department of health to have been provided
 33 under a treatment plan approved under subdivision (3), including:
 34 (A) whether a drug or device used in the treatment plan has
 35 been approved for any purpose by the federal Food and Drug
 36 Administration;
 37 (B) health improvement of the veteran receiving the treatment,
 38 as demonstrated through:
 39 (i) standardized, independent pretreatment and
 40 posttreatment neuropsychological testing;
 41 (ii) nationally accepted survey instruments;
 42 (iii) neurological imaging; or



1 (iv) clinical examination; and
2 (C) receipt by the state department of health of pretreatment
3 and posttreatment evaluation documentation.
4 (5) Confidentiality of all individually identifiable patient
5 information of a veteran. However, subject to the requirements of
6 the federal Health Insurance Portability and Accountability Act
7 and any other applicable medical record laws, all data and
8 information from which the identity of an individual veteran
9 cannot be reasonably ascertained must be available to the general
10 assembly, participating institutional review boards, participating
11 health care providers, medical researchers, and other
12 governmental agencies.
13 (h) This section expires June 30, ~~2019~~: **2020**.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 96, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

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

(Reference is to SB 96 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 7, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 96, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 96 as printed January 26, 2018.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 0

