

SENATE BILL No. 113

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-118.8; IC 12-15-7-2.

Synopsis: Guardian reimbursement and Medicaid eligibility. Specifies that an amount not to exceed \$175 a month in court ordered guardianship fees for an individual who is: (1) in an institution; or (2) applying for or participating in the Medicaid aged and disabled waiver; is exempt from Medicaid income eligibility consideration.

Effective: July 1, 2019.

Koch

January 3, 2019, read first time and referred to Committee on Family and Children Services.



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.

SENATE BILL No. 113

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 12-7-2-118.8 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 118.8. "Institution", for
- 3 purposes of:
- 4 (1) IC 12-10-11.5, has the meaning set forth in IC 12-10-11.5-1;
- 5 **and**
- 6 (2) **IC 12-15-7-2, has the meaning set forth in IC 12-15-7-2(b).**
- 7 SECTION 2. IC 12-15-7-2 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) Fifty-two dollars
- 9 (\$52) monthly may be exempt from income eligibility consideration.
- 10 (b) **This subsection applies to an individual who is in an**
- 11 **institution or applying for or participating in the Medicaid aged**
- 12 **and disabled waiver. As used in this subsection, "institution" refers**
- 13 **to any of the following:**
- 14 (1) **A state institution.**
- 15 (2) **A health facility licensed under IC 16-28.**
- 16 (3) **A hospital licensed under IC 16-21-2.**
- 17 (4) **An intermediate care facility for individuals with**



1 **intellectual disabilities.**
2 **In addition to the amount specified in subsection (a), an amount in**
3 **court ordered guardianship fees not to exceed one hundred**
4 **seventy-five dollars (\$175) monthly is exempt from income**
5 **eligibility consideration. The office shall seek any approval**
6 **necessary from the United States Department of Health and**
7 **Human Services to implement this subsection.**

