

## SENATE BILL No. 192

---

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2; IC 12-15-12-9.5.

**Synopsis:** Inpatient mental health care for Medicaid children. Requires a managed care organization to allow a child Medicaid recipient who has been certified for admission to a psychiatric hospital to be provided certain services that are determined by a treating physician to be necessary for the child for up to seven days before the managed care organization may require a continued review process.

**Effective:** Upon passage.

---

---

## Grooms

---

---

January 6, 2020, read first time and referred to Committee on Family and Children Services.

---

---



Introduced

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE BILL No. 192

---

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

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

1 SECTION 1. IC 12-7-2-28, AS AMENDED BY P.L.145-2006,  
2 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 28. "Child" means the following:

4 (1) For purposes of **IC 12-15-12-9.5 and** IC 12-17.2, an  
5 individual who is less than eighteen (18) years of age.

6 (2) For purposes of IC 12-26, the meaning set forth in  
7 IC 31-9-2-13(d).

8 SECTION 2. IC 12-7-2-151, AS AMENDED BY P.L.99-2007,  
9 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 UPON PASSAGE]: Sec. 151. **(a)** "Psychiatric hospital", for purposes  
11 of section 82 of this chapter, means any of the following:

12 (1) A state institution.

13 (2) A general hospital:

14 (A) licensed by the state department of health; and

15 (B) that maintains and operates facilities for the observation,  
16 care, treatment, and detention of individuals who have a  
17 mental illness.



(3) A private psychiatric hospital licensed by the division of mental health and addiction.

## 5 (1) A general hospital:

6 (A) licensed by the state department of health; and  
7 (B) that maintains and operates facilities for the  
8 observation, care, treatment, and detention of individuals  
9 who have a mental illness.

12 SECTION 3. IC 12-15-12-9.5 IS ADDED TO THE INDIANA  
13 CODE AS A NEW SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE UPON PASSAGE]: Sec. 9.5. If a child Medicaid  
15 recipient has been certified for admission to a psychiatric hospital,  
16 a treating physician at the psychiatric hospital shall determine the  
17 length of stay necessary for the child patient for a time period of up  
18 to seven (7) days before the managed care organization may  
19 require a continued review process for the child. The psychiatric  
20 hospital may provide necessary services for the child during that  
21 time period to prevent, diagnose, or treat:

22 (1) an illness;

23 (2) an injury;

24 (3) a condition;

25 (4) a disease; or

26 (5) a symptom of subdivision (1) through (4);

27 based on clinically accepted medical practices and treatment  
28 specific to the individual patient.

29 SECTION 4. An emergency is declared for this act.

