



January 15, 2020

SENATE BILL No. 192

DIGEST OF SB 192 (Updated January 13, 2020 12:16 pm - DI 136)

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

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 five business days before the managed care organization may require a continued review process.

Effective: Upon passage.

Grooms, Ford Jon, Breaux, Walker

January 6, 2020, read first time and referred to Committee on Family and Children Services.
January 14, 2020, amended, reported favorably — Do Pass.

SB 192—LS 6526/DI 104



January 15, 2020

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.

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- 1 (3) A private psychiatric hospital licensed by the division of
- 2 mental health and addiction.
- 3 **(b) "Psychiatric hospital", for purposes of IC 12-15-12-9.5,**
- 4 **means any of the following:**
- 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.**
- 10 **(2) A private psychiatric hospital licensed by the division of**
- 11 **mental health and addiction.**
- 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 five (5) business 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.



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 192, 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:

Page 2, line 18, delete "seven (7)" and insert "**five (5) business**".
and when so amended that said bill do pass.

(Reference is to SB 192 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 9, Nays 0.

