

SENATE BILL No. 292

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-28-11-8; IC 21-12-18.

Synopsis: Public health matters. Establishes the scholarship for minority students pursuing health care careers (scholarship) and the minority students pursuing health care careers fund (fund). Provides that the commission for higher education (commission) administers the scholarship program and the fund. Prescribes qualifications necessary to: (1) receive an initial scholarship; and (2) qualify for renewal of the scholarship. Provides that the amount of the scholarship awarded for an academic year is the lesser of: (1) the balance of the scholarship recipient's total cost of attendance for the academic year after the application of any other financial assistance for which the scholarship recipient qualifies; or (2) \$4,000. Requires a scholarship recipient to enter into a written agreement with the commission to: (1) use the scholarship solely to fund a course of study resulting in a degree or certificate that enables the individual to practice as a health care professional in Indiana; (2) apply for a position as a health care professional in Indiana following the individual's licensure or certification as a health care professional; and (3) if hired, practice as a health care professional in Indiana for at least three years. Requires a scholarship recipient to repay the scholarship if the scholarship recipient fails to: (1) complete the scholarship recipient's program of study; or (2) complete the terms of the scholarship recipient's agreement with the commission. Annually appropriates to the fund from the state general fund an amount sufficient to carry out the purposes of the scholarship program. Requires the commission to report to the general assembly not later than December 1, 2025, regarding the effect of the scholarship program. Requires: (1) health
(Continued next page)

Effective: July 1, 2021.

Breaux

January 11, 2021, read first time and referred to Committee on Health and Provider Services.



Digest Continued

facilities; and (2) residential care facilities; to provide specified information concerning COVID-19 to the Indiana state department of health. Defines certain terms.



Introduced

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE BILL No. 292

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

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

1 SECTION 1. IC 16-18-2-88.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 88.3. "COVID-19", for purposes**
4 **of IC 16-28-11-8, has the meaning set forth in IC 16-28-11-8(a).**
5 SECTION 2. IC 16-18-2-317.7, AS AMENDED BY P.L.2-2019,
6 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2021]: Sec. 317.7. "Residential care facility", for purposes of
8 IC 16-28-2, **IC 16-28-11-8**, and IC 16-32-5, means an entity licensed
9 under IC 16-28 and registered as a housing with services establishment
10 under IC 12-10-15.
11 SECTION 3. IC 16-28-11-8 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2021]: **Sec. 8. (a) As used in this section, "COVID-19" means:**
14 **(1) severe acute respiratory syndrome coronavirus 2**
15 **(SARS-CoV-2); or**



- 1 **(2) the disease caused by severe acute respiratory syndrome**
 2 **coronavirus 2 (SARS-CoV-2).**
 3 **(b) Each facility and residential care facility licensed under this**
 4 **article shall do the following:**
 5 **(1) Electronically report the following information to the state**
 6 **department:**
 7 **(A) Suspected and confirmed COVID-19 infections among**
 8 **residents and staff members, including residents**
 9 **previously treated for COVID-19.**
 10 **(B) Total:**
 11 **(i) deaths; and**
 12 **(ii) COVID-19 deaths;**
 13 **among residents and staff members.**
 14 **(C) Personal protective equipment and hand hygiene**
 15 **supply levels for the facility or residential care facility, as**
 16 **applicable.**
 17 **(D) Ventilator capacity and ventilator supply levels for the**
 18 **facility or residential care facility, as applicable.**
 19 **(E) The total number of resident beds and the current**
 20 **occupancy rate for the facility or residential facility, as**
 21 **applicable.**
 22 **(F) The total number of COVID-19 tests available for use**
 23 **by residents or staff members.**
 24 **(G) The existence and severity of any staffing shortage.**
 25 **(H) Any other information requested or required by the**
 26 **state department for the purpose of monitoring or**
 27 **forecasting the COVID-19 infection rate in a specific**
 28 **facility or residential care facility.**
 29 **The information described in this subdivision must be**
 30 **provided to the state department on a weekly basis and in an**
 31 **electronic manner prescribed by the state department.**
 32 **(2) Inform residents, and their respective legal guardians or**
 33 **designated representatives, as applicable, of the following:**
 34 **(A) Each confirmed case of COVID-19 in the facility or**
 35 **residential facility.**
 36 **(B) Each instance of new-onset respiratory symptoms that:**
 37 **(i) involves a total of three (3) or more residents or staff**
 38 **members; and**
 39 **(ii) occurs within seventy-two (72) hours of each other.**
 40 **Information released under this subdivision may not include**
 41 **any personally identifying information and must comply with**
 42 **all applicable state and federal laws concerning patient**



1 privacy. Additional information concerning mitigation
 2 measures being used to control or limit the spread of
 3 COVID-19 in the applicable facility or residential care facility
 4 must be released whenever a required disclosure is issued
 5 under this subdivision. Each facility or residential care facility
 6 required to issue a disclosure under this subdivision shall
 7 provide supplemental information to each resident and legal
 8 guardian or designated representative, as applicable, when
 9 developments related to a disclosure required under this
 10 subdivision emerge.

11 (c) The state department shall adopt rules under IC 4-22-2,
 12 including emergency rules in the manner provided under
 13 IC 4-22-2-37.1, to implement this section as soon as practicable
 14 before July 1, 2022. An emergency rule implemented under this
 15 section expires on the earlier of the following dates:

- 16 (1) The expiration date stated in the emergency rule.
 17 (2) The date the emergency rule is amended or repealed by a
 18 later rule or emergency rule adopted under IC 4-22-2-24
 19 through IC 4-22-2-36 or in the manner provided under
 20 IC 4-22-2-37.1.

21 SECTION 4. IC 21-12-18 IS ADDED TO THE INDIANA CODE
 22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2021]:

24 **Chapter 18. Scholarship for Minority Students Pursuing Health**
 25 **Care Careers**

26 **Sec. 1.** As used in this chapter, "fund" refers to the minority
 27 students pursuing health care careers fund established by section
 28 5 of this chapter.

29 **Sec. 2.** As used in this chapter, "health care professional"
 30 includes the following:

- 31 (1) A:
 32 (A) qualified medication aide; or
 33 (B) certified nurse aide;
 34 certified under IC 16-28-1-11.
 35 (2) An advanced emergency medical technician (as defined in
 36 IC 16-18-2-6.5).
 37 (3) An emergency medical responder (as defined in
 38 IC 16-18-2-109.8).
 39 (4) A paramedic (as defined in IC 16-18-2-266).
 40 (5) A provider of hospice services (as defined in
 41 IC 16-25-1.1-6).
 42 (6) A provider of home health services (as defined in



- 1 **IC 16-27-1-5).**
 2 **(7) An anesthesiologist assistant licensed under IC 25-3.7.**
 3 **(8) A chiropractor licensed under IC 25-10.**
 4 **(9) A dental hygienist licensed under IC 25-13.**
 5 **(10) A dentist licensed under IC 25-14.**
 6 **(11) A physician licensed under IC 25-22.5.**
 7 **(12) A nurse licensed under IC 25-23.**
 8 **(13) An:**
 9 **(A) occupational therapist licensed; or**
 10 **(B) occupational therapy assistant licensed;**
 11 **under IC 25-23.5.**
 12 **(14) An optometrist licensed under IC 25-24.**
 13 **(15) A pharmacist licensed under IC 25-26.**
 14 **(16) A:**
 15 **(A) physical therapist licensed; or**
 16 **(B) physical therapist assistant certified;**
 17 **under IC 25-27.**
 18 **(17) A physician assistant licensed under IC 25-27.5.**
 19 **(18) A podiatrist licensed under IC 25-29.**
 20 **(19) The following licensed under IC 25-35.6:**
 21 **(A) A speech-language pathologist.**
 22 **(B) An audiologist.**
 23 **(20) A:**
 24 **(A) speech-language pathology aide;**
 25 **(B) speech-language pathology associate; or**
 26 **(C) speech-language pathology assistant;**
 27 **registered under IC 25-35.6.**
 28 **(21) Direct care staff (as defined by 460 IAC 6-3-18).**
 29 **(22) A patient care technician.**
 30 **(23) A chronic disease technician, including a dialysis**
 31 **technician.**
 32 **(24) Any other health care profession specified by rule**
 33 **adopted by the commission under this chapter.**
 34 **Sec. 3. As used in this chapter, "minority" has the meaning set**
 35 **forth in IC 21-13-1-6.**
 36 **Sec. 4. (a) The scholarship for minority students pursuing health**
 37 **care careers is established.**
 38 **(b) The commission shall administer the scholarship program**
 39 **under this chapter, including:**
 40 **(1) receiving and evaluating applications received under**
 41 **section 6 of this chapter; and**
 42 **(2) awarding scholarships from the fund to applicants who**



- 1 meet the qualifications established under this chapter.
- 2 **Sec. 5. (a) The minority students pursuing health care careers**
- 3 **fund is established for the purpose of providing scholarships under**
- 4 **this chapter.**
- 5 **(b) The fund consists of the following:**
- 6 **(1) Appropriations made by the general assembly.**
- 7 **(2) Gifts, grants, devises, or bequests made to the commission**
- 8 **to achieve the purposes of the fund.**
- 9 **(c) The commission shall administer the fund.**
- 10 **(d) The expenses of administering the fund shall be paid from**
- 11 **money in the fund.**
- 12 **(e) The treasurer of state shall invest the money in the fund not**
- 13 **currently needed to meet the obligations of the fund in the same**
- 14 **manner as other public funds may be invested. Interest that**
- 15 **accrues from these investments shall be deposited in the fund.**
- 16 **(f) Money in the fund at the end of a state fiscal year does not**
- 17 **revert to the state general fund but remains available to be used for**
- 18 **the purposes of this chapter.**
- 19 **Sec. 6. An individual must apply for a scholarship, or renewal**
- 20 **of a scholarship, under this chapter in the form and manner**
- 21 **prescribed by the commission.**
- 22 **Sec. 7. An individual qualifies for an initial scholarship under**
- 23 **this chapter if the individual:**
- 24 **(1) is a minority student;**
- 25 **(2) is admitted to an approved postsecondary educational**
- 26 **institution as a full-time student;**
- 27 **(3) either:**
- 28 **(A) intends to pursue, in the case of an individual who has**
- 29 **been accepted to, but is not yet attending, an approved**
- 30 **postsecondary educational institution; or**
- 31 **(B) is pursuing, in the case of an individual who is**
- 32 **attending an approved postsecondary educational**
- 33 **institution;**
- 34 **a course of study resulting in a degree or certificate that**
- 35 **enables the individual to practice as a health care professional**
- 36 **in Indiana;**
- 37 **(4) agrees, in a written agreement entered into with the**
- 38 **commission:**
- 39 **(A) to use a scholarship awarded under this chapter solely**
- 40 **to pay:**
- 41 **(i) tuition and other fees;**
- 42 **(ii) the cost of room and board; or**



- 1 (iii) the cost of textbooks and equipment;
 2 required for a course of study described in subdivision (3);
 3 (B) to apply for a position as health care professional in
 4 Indiana not later than one (1) year after the individual's
 5 licensure or certification as a health care professional; and
 6 (C) if hired, to practice as a health care professional in
 7 Indiana for at least three (3) years; and
 8 (5) meets any other minimum criteria established by the
 9 commission in rules adopted under section 12 of this chapter.
- 10 **Sec. 8.** The term of a scholarship awarded under this chapter is
 11 one (1) academic year, or the equivalent of one (1) academic year
 12 as established by the approved postsecondary educational
 13 institution to which the scholarship recipient is admitted.
- 14 **Sec. 9. (a)** Except as provided by subsection (b), an individual
 15 who qualifies for an initial scholarship under section 7 of this
 16 chapter qualifies for renewal of the scholarship if the individual:
 17 (1) continues to meet the criteria under section 7 of this
 18 chapter;
 19 (2) maintains a cumulative grade point average of at least 2.0
 20 on a 4.0 grading scale, or an equivalent grade point average
 21 as established by the approved postsecondary educational
 22 institution attended by the individual;
 23 (3) enrolls in and completes at least fifteen (15) credit hours
 24 each semester, or an equivalent course load as established by
 25 the approved postsecondary educational institution attended
 26 by the individual; and
 27 (4) meets any other requirements established in rules adopted
 28 under section 12 of this chapter.
- 29 (b) The commission may grant a waiver from the requirements
 30 under subsection (a) to an applicant for renewal if:
 31 (1) the applicant submits a petition to the commission, in a
 32 manner prescribed by the commission, asserting; and
 33 (2) the commission determines, based on the petition;
 34 that extenuating circumstances prevented the applicant from
 35 meeting the requirements under subsection (a).
- 36 (c) If the commission grants a waiver to an applicant for
 37 renewal under subsection (b), the commission may:
 38 (1) place the applicant on probationary status; and
 39 (2) establish additional requirements for the applicant.
- 40 (d) A scholarship under this chapter may be renewed for not
 41 more than four (4) undergraduate academic years, or the
 42 equivalent of four (4) academic years as established by the



1 approved postsecondary educational institution attended by the
 2 scholarship recipient. However, an individual may not renew a
 3 scholarship under this chapter for an academic year that ends later
 4 than six (6) years after the date the individual is awarded the initial
 5 scholarship under this chapter.

6 **Sec. 10. (a)** Except as provided in subsection (b), the amount of
 7 a scholarship under this chapter is equal to the lesser of the
 8 following:

9 (1) The balance of the scholarship recipient's total cost of
 10 attendance for the academic year after the application of any
 11 other financial assistance for which the scholarship recipient
 12 qualifies.

13 (2) Four thousand dollars (\$4,000).

14 (b) If the total amount of all scholarships awarded under this
 15 chapter exceeds the amount available for distribution from the
 16 fund in a state fiscal year, the amount distributed to each applicant
 17 for a scholarship, or renewal of a scholarship, under this chapter
 18 shall be reduced proportionately:

19 (1) based on the financial need of each applicant; and

20 (2) such that the total reduction equals the amount of the
 21 excess.

22 **Sec. 11. (a)** An individual who is awarded a scholarship under
 23 this chapter shall agree in writing to repay the amount received by
 24 the individual under this chapter if the individual does not
 25 complete:

26 (1) a course of study described in section 7(3) of this chapter;
 27 or

28 (2) the conditions to which the individual agrees under section
 29 7(4) of this chapter.

30 (b) The commission may waive repayment of all or part of a
 31 scholarship under subsection (a) if:

32 (1) the scholarship recipient submits a petition to the
 33 commission, in a manner prescribed by the commission,
 34 asserting; and

35 (2) the commission determines, based on the petition;

36 that extenuating circumstances prevented the scholarship recipient
 37 from meeting the requirements under subsection (a).

38 **Sec. 12.** The commission shall adopt rules under IC 4-22-2
 39 necessary to administer this chapter.

40 **Sec. 13.** There is annually appropriated to the fund from the
 41 state general fund an amount sufficient to carry out the purposes
 42 of this chapter.



1 **Sec. 14. (a) Not later than December 1, 2025, the commission**
 2 **shall issue a report to the general assembly, in an electronic format**
 3 **under IC 5-14-6, describing the effect of the scholarship program**
 4 **under this chapter. The commission shall include in the report the**
 5 **following information for the period beginning July 1, 2021, and**
 6 **ending July 1, 2025:**

7 **(1) The number of scholarships granted under this chapter.**

8 **(2) The number of scholarship recipients who graduated with**
 9 **a degree or certificate that enables the individual to practice**
 10 **as a health care professional in Indiana.**

11 **(3) The number of:**

12 **(A) scholarship recipients who found employment as health**
 13 **care professionals; and**

14 **(B) scholarship recipients who were employed as health**
 15 **care professionals as of July 1, 2025.**

16 **(4) The number of scholarship recipients who:**

17 **(A) were employed in two (2) or more health care**
 18 **professional positions; and**

19 **(B) as of July 1, 2025, were employed in a health care**
 20 **professional position:**

21 **(i) requiring a higher level of skill; or**

22 **(ii) involving greater professional responsibility;**

23 **than the immediately preceding health care professional**
 24 **position in which the scholarship recipient was employed.**

25 **(5) The number of scholarship recipients who fulfilled the**
 26 **scholarship recipient's agreement under section 7(4) of this**
 27 **chapter.**

28 **(6) The number of:**

29 **(A) scholarship recipients who did not fulfill the**
 30 **scholarship recipient's agreement under section 7(4) of this**
 31 **chapter; and**

32 **(B) scholarship recipients who repaid all or part of the**
 33 **scholarship under section 11 of this chapter.**

34 **(b) This section expires December 31, 2025.**

