



Reprinted
February 19, 2016

ENGROSSED SENATE BILL No. 364

DIGEST OF SB 364 (Updated February 18, 2016 1:36 pm - DI 104)

Citations Affected: Noncode.

Synopsis: Medicaid provider audit and health survey work groups. Requires the office of Medicaid policy and planning (office) to establish a work group to discuss the policies and procedures used in Medicaid provider audits. Requires the state department of health (state department) to establish a work group to discuss and establish policies and procedures for allowing a provider that is the subject of a survey to review, discuss, and mediate the survey results before the survey is finalized. Requires the office and the state department to submit the work group's findings and any statutory recommendations to legislative council before December 1, 2016.

Effective: Upon passage.

Bassler, Miller Patricia

(HOUSE SPONSORS — BACON, ZENT, KIRCHHOFFER, BAUER)

January 11, 2016, read first time and referred to Committee on Health & Provider Services.
January 28, 2016, amended, reported favorably — Do Pass.
February 1, 2016, read second time, ordered engrossed. Engrossed.
February 3, 2016, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 9, 2016, read first time and referred to Committee on Public Health.
February 15, 2016, reported — Do Pass.
February 18, 2016, read second time, amended, ordered engrossed.

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Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 364

A BILL FOR AN ACT concerning health.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "office" refers to the office of Medicaid policy and
3 planning.
4 (b) The office shall establish a work group consisting of:
5 (1) office employees; and
6 (2) multiple Indiana Medicaid providers, representing various
7 Medicaid reimbursable health care services;
8 to discuss the policies and procedures used in the performance of
9 Medicaid provider audits and possible improvements to the audit
10 process.
11 (c) Before December 1, 2016, the office shall submit a written
12 report of the work group's findings and any statutory
13 recommendations to the legislative council in an electronic format
14 under IC 5-14-6.
15 (d) This SECTION expires December 31, 2016.
16 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
17 SECTION, "state department" refers to the state department of
18 health established by IC 16-19-1-1.

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1 (b) As used in this SECTION, "survey" refers to a survey
2 conducted by the state department on any of the following health
3 providers:

4 (1) A hospice program licensed under IC 16-25-3.

5 (2) A home health agency licensed under IC 16-27-1.

6 (3) A personal services agency licensed under IC 16-27-4.

7 (c) The state department shall establish a work group to discuss
8 and establish policies and procedures for allowing a provider that
9 is the subject of a survey described in subsection (b) to review,
10 discuss, and mediate the results of a survey before the survey is
11 finalized.

12 (d) The work group must consist of at least the following:

13 (1) A state department employee who administers and
14 oversees the licensure and surveying of home health agencies
15 and hospice agencies.

16 (2) One (1) individual recommended by the Indiana
17 Association for Home and Hospice Care or a similar statewide
18 association that represents the interests of home health and
19 hospice care providers.

20 (3) At least one (1) individual representing a home health
21 agency licensed under IC 16-27-1 that provides or offers to
22 provide home health services for compensation.

23 (4) At least one (1) individual representing a personal services
24 agency licensed under IC 16-27-4 that provides or offers to
25 provide a personal service for compensation.

26 (5) At least one (1) individual representing a hospice program
27 licensed under IC 16-25-3.

28 (e) The state department shall staff the work group.

29 (f) Before December 1, 2016, the state department shall submit
30 a written report of the work group's findings and any statutory
31 recommendations to the legislative council in an electronic format
32 under IC 5-14-6.

33 (g) This SECTION expires December 31, 2016.

34 SECTION 3. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 364, 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 the title and insert the following:

A BILL FOR AN ACT concerning Medicaid.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 364 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 9, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 364, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 364 as printed January 29, 2016.)

KIRCHHOFER

Committee Vote: Yeas 9, Nays 0

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 364 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning health.

Page 1, between lines 15 and 16, begin a new paragraph and insert:

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "state department" refers to the state department of health established by IC 16-19-1-1.

(b) As used in this SECTION, "survey" refers to a survey

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conducted by the state department on any of the following health providers:

- (1) A hospice program licensed under IC 16-25-3.
- (2) A home health agency licensed under IC 16-27-1.
- (3) A personal services agency licensed under IC 16-27-4.

(c) The state department shall establish a work group to discuss and establish policies and procedures for allowing a provider that is the subject of a survey described in subsection (b) to review, discuss, and mediate the results of a survey before the survey is finalized.

(d) The work group must consist of at least the following:

- (1) A state department employee who administers and oversees the licensure and surveying of home health agencies and hospice agencies.
- (2) One (1) individual recommended by the Indiana Association for Home and Hospice Care or a similar statewide association that represents the interests of home health and hospice care providers.
- (3) At least one (1) individual representing a home health agency licensed under IC 16-27-1 that provides or offers to provide home health services for compensation.
- (4) At least one (1) individual representing a personal services agency licensed under IC 16-27-4 that provides or offers to provide a personal service for compensation.
- (5) At least one (1) individual representing a hospice program licensed under IC 16-25-3.

(e) The state department shall staff the work group.

(f) Before December 1, 2016, the state department shall submit a written report of the work group's findings and any statutory recommendations to the legislative council in an electronic format under IC 5-14-6.

(g) This SECTION expires December 31, 2016."

Renumber all SECTIONS consecutively.

(Reference is to ESB 364 as printed February 16, 2016.)

BACON

