



February 8, 2019

SENATE BILL No. 377

DIGEST OF SB 377 (Updated February 6, 2019 1:04 pm - DI 133)

Citations Affected: IC 33-33.

Synopsis: Allen County substance abuse pilot program. Removes a requirement that the administrator of the Allen County substance abuse pilot program (pilot program) expend \$1 of local funds for every \$1 of state funds expended. Provides that the Allen County board of county commissioners and the administrator of the pilot program shall determine what is considered a room and board day for a recovery residency for the pilot program. Provides for a rate of \$32.50 per room and board day for a recovery residency. Makes an appropriation.

Effective: January 1, 2019 (retroactive); July 1, 2019.

Merritt

January 14, 2019, read first time and referred to Committee on Health and Provider Services.

February 7, 2019, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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February 8, 2019

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. 377

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

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

- 1 SECTION 1. IC 33-33-2-46, AS ADDED BY P.L.175-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2019 (RETROACTIVE)]: Sec. 46. (a) As used in this
4 section, "administrator" means the entity that enters into an agreement
5 with the board of county commissioners of Allen County under
6 subsection (e).
7 (b) As used in this section, "pilot program" refers to the substance
8 abuse pilot program established under subsection (c).
9 (c) After June 30, 2017, and after approval of the Indiana
10 commission to combat drug abuse, the board of county commissioners
11 of Allen County may establish a four (4) year pilot program to assist
12 participants in overcoming their substance abuse by providing:
13 (1) evidence based addiction treatment, including detoxification,
14 medication assisted treatment, including a federal Food and Drug
15 Administration approved long acting, nonaddictive medication for
16 the treatment of opioid dependence; and
17 (2) assistance with developing a long term plan for sober living

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- 1 outside the pilot program.
- 2 (d) An individual is eligible to participate in the pilot program if the
- 3 individual:
- 4 (1) is at least eighteen (18) years of age;
- 5 (2) is charged with a felony;
- 6 (3) is under the supervision of a court or community corrections
- 7 program in Allen County, including:
- 8 (A) a problem solving court;
- 9 (B) a diversion program;
- 10 (C) community corrections;
- 11 (D) probation;
- 12 (E) home detention; or
- 13 (F) any other program involving community supervision as an
- 14 alternative to commitment to the department of correction, if
- 15 the program is approved by the court; and
- 16 (4) is suffering from a significant substance abuse disorder and
- 17 has been previously unable to remain sober.
- 18 (e) If the board of county commissioners of Allen County
- 19 establishes a pilot program under subsection (c), the board of county
- 20 commissioners of Allen County shall enter into an agreement with an
- 21 entity with experience in administering community development
- 22 programs.
- 23 (f) Mental health and addiction treatment services provided as part
- 24 of the pilot program may be administered or subcontracted only by a
- 25 provider certified by the division of mental health and addiction with
- 26 expertise in providing evidence based mental health and addiction
- 27 treatment services.
- 28 (g) The administrator shall provide a report to the legislative council
- 29 before October 1, 2019, and before each October 1 of each year
- 30 thereafter. The report must include the following:
- 31 (1) The number of persons successfully completing the pilot
- 32 program.
- 33 (2) Estimated cost savings of the pilot program.
- 34 (3) Opportunities for replication.
- 35 (4) Recidivism rates of persons participating in the pilot program,
- 36 including the following:
- 37 (A) A person's new arrest or conviction that occurs while the
- 38 person is participating in the pilot program.
- 39 (B) A person's new arrest, conviction, or commitment to the
- 40 department of correction, not later than twelve (12) months
- 41 after ending participation in the pilot program.
- 42 (C) A person's new arrest, conviction, or commitment to the



department of correction, not later than twenty-four (24) months after ending participation in the pilot program.

(D) A person's new arrest, conviction, or commitment to the department of correction, not later than thirty-six (36) months after ending participation in the pilot program.

(h) The report required by subsection (g) must be in an electronic format under IC 5-14-6.

(i) The administrator may not expend state money granted to the administrator for the pilot program unless the administrator has raised at least one dollar (\$1) of local funds for every one dollar (\$1) of state funds before July 1, 2018. ~~The administrator may not expend money granted to the administrator for the pilot program for a state fiscal year unless the administrator expends at least one dollar (\$1) of local funds for every one dollar (\$1) of state funds expended.~~

(j) The expenses of the pilot program may be paid from money ~~appropriated~~ **granted** to the administrator.

(k) Subject to subsection (l), the board of county commissioners of Allen County and the provider that administers the pilot program under the agreement required by subsection (e) shall determine what is considered a room and board day for a recovery residency (as defined in IC 12-7-2-158.2) for the pilot program. The rate per room and board day for a recovery residency (as defined in IC 12-7-2-158.2) after December 31, 2018, is thirty-two dollars and fifty cents (\$32.50).

(l) A room and board day for a recovery residency (as defined in IC 12-7-2-158.2) includes services provided as part of the pilot program by an entity certified by the Indiana Affiliation of Recovery Residences (INARR). It does not include clinically managed high-intensity residential services or clinically managed low-intensity residential services.

~~(k)~~ **(m)** This section expires June 30, 2022.

SECTION 2. IC 33-33-2-47 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 47. (a) For the state fiscal year beginning July 1, 2019, and ending June 30, 2020, there is appropriated to the division of mental health and addiction five hundred thousand dollars (\$500,000) from the state general fund to pay the expenses of a pilot program established under section 46 of this chapter, as amended by this act.

(b) For the state fiscal year beginning July 1, 2020, and ending June 30, 2021, there is appropriated to the division of mental health and addiction five hundred thousand dollars (\$500,000)



1 from the state general fund to pay the expenses of a pilot program
2 established section 46 of this chapter, as amended by this act.

3 (c) Money shall be granted to the administrator in a lump sum
4 payment to pay the expenses of a pilot program established under
5 section 46 of this chapter from an appropriation made under this
6 section to the division of mental health and addiction.

7 (d) This SECTION expires June 30, 2022.

8 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. 377, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 377 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 10, Nays 0

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