



February 14, 2017

SENATE BILL No. 389

DIGEST OF SB 389 (Updated February 13, 2017 11:40 am - DI 84)

Citations Affected: IC 12-23.

Synopsis: Forensic treatment services grants. Adds individuals who are in the juvenile justice system as individuals who may receive mental health and addiction forensic treatment services (services). Removes the age requirement for eligibility to receive the services.

Effective: July 1, 2017.

Breaux, Stoops

January 10, 2017, read first time and referred to Committee on Family and Children Services.

February 13, 2017, reported favorably — Do Pass; reassigned to Committee on Appropriations.

SB 389—LS 6655/DI 104



February 14, 2017

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 389

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

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

1 SECTION 1. IC 12-23-19-1, AS AMENDED BY P.L.69-2016,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 1. As used in this chapter, "mental health and
4 addiction forensic treatment services" means evidence based treatment
5 and recovery wraparound support services that may be provided to
6 individuals **in the juvenile justice system, or individuals** in the
7 criminal justice system who are charged with a felony offense or have
8 a prior felony conviction, and have been placed or are eligible to be
9 placed in a pretrial services program, community corrections program,
10 prosecuting attorney's diversion program, or jail as an alternative to
11 commitment to the department of correction. The term includes:
12 (1) mental health and substance abuse treatment, including:
13 (A) addiction counseling;
14 (B) inpatient detoxification;
15 (C) case management;
16 (D) daily living skills; and
17 (E) medication assisted treatment, including a federal Food

SB 389—LS 6655/DI 104



- 1 and Drug Administration approved long acting, nonaddictive
 2 medication for the treatment of opioid or alcohol dependence;
 3 (2) vocational services;
 4 (3) housing assistance;
 5 (4) community support services;
 6 (5) care coordination;
 7 (6) transportation assistance; and
 8 (7) mental health and substance abuse assessments.

9 SECTION 2. IC 12-23-19-2, AS ADDED BY P.L.209-2015,
 10 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2017]: Sec. 2. (a) An individual is eligible for mental health
 12 and addiction forensic treatment services if:

- 13 (1) the individual:
 14 (A) is a member of a household with an annual income that
 15 does not exceed two hundred percent (200%) of the federal
 16 income poverty level;
 17 (B) is a resident of Indiana; **and**
 18 ~~(C) is at least eighteen (18) years of age; and~~
 19 ~~(D) (C) has entered the juvenile justice system or has~~
 20 **entered the** criminal justice system as a felon or with a prior
 21 felony conviction; and
 22 (2) subject to subsection (b), reimbursement for the service is not
 23 available to the individual through any of the following:
 24 (A) A policy of accident and sickness insurance (IC 27-8-5).
 25 (B) A health maintenance organization contract (IC 27-13).
 26 (C) The Medicaid program (IC 12-15), excluding the Medicaid
 27 rehabilitation program and the Behavioral and Primary Health
 28 Coordination Program under Section 1915(i) of the Social
 29 Security Act.
 30 (D) The federal Medicare program or any other federal
 31 assistance program.
 32 (b) If an individual is not entitled to reimbursement from the sources
 33 described in subsection (a)(2) of the full amount of the cost of the
 34 mental health and addiction forensic treatment services, grants and
 35 vouchers under this chapter may be used to provide those services to
 36 the extent that the costs of those services exceed the reimbursement the
 37 individual is entitled to receive from the sources described in
 38 subsection (a)(2), excluding any copayment or deductible that the
 39 individual is required to pay.
 40 (c) The division shall determine the extent to which an individual
 41 who is provided mental health and addiction forensic treatment
 42 services under this chapter is entitled to receive reimbursement from



1 the sources described in subsection (a)(2).



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 389, 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 389 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 8, Nays 0

