



Reprinted  
January 31, 2017

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## SENATE BILL No. 396

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DIGEST OF SB 396 (Updated January 30, 2017 1:57 pm - DI 104)

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

**Synopsis:** Guardian reimbursement and Medicaid eligibility. Specifies that an amount not to exceed \$175 a month in court ordered guardianship fees for an individual who is in an institution is exempt from Medicaid income eligibility consideration.

**Effective:** July 1, 2017.

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**Koch, Ford, Breaux,  
Randolph Lonnie M**

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January 10, 2017, read first time and referred to Committee on Family and Children Services.  
January 23, 2017, reported favorably — Do Pass.  
January 30, 2017, read second time, amended, ordered engrossed.

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SB 396—LS 7078/DI 104





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January 31, 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. 396

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 12-7-2-118.8 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 118.8. "Institution", for  
3 purposes of:

4 (1) IC 12-10-11.5, has the meaning set forth in IC 12-10-11.5-1;  
5 **and**

6 (2) **IC 12-15-7-2, has the meaning set forth in IC 12-15-7-2(b).**

7 SECTION 2. IC 12-15-7-2 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Fifty-two dollars  
9 (\$52) monthly may be exempt from income eligibility consideration.

10 (b) **This subsection applies to an individual who is in an**  
11 **institution. As used in this subsection, "institution" refers to any of**  
12 **the following:**

13 (1) **A state institution.**

14 (2) **A health facility licensed under IC 16-28.**

15 (3) **A hospital licensed under IC 16-21-2.**

16 (4) **An intermediate care facility for individuals with**  
17 **intellectual disabilities.**

SB 396—LS 7078/DI 104



1     **In addition to the amount specified in subsection (a), an amount in**  
2     **court ordered guardianship fees not to exceed one hundred**  
3     **seventy-five dollars (\$175) monthly is exempt from income**  
4     **eligibility consideration.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 396, 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.

(Reference is to SB 396 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 7, Nays 0

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 SENATE MOTION

Madam President: I move that Senate Bill 396 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-118.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 118.8. "Institution", for purposes of:

- (1) IC 12-10-11.5, has the meaning set forth in IC 12-10-11.5-1;
- and**
- (2) **IC 12-15-7-2, has the meaning set forth in IC 12-15-7-2(b).**"

Page 1, line 5, delete "In" and insert "**As used in this subsection, "institution" refers to any of the following:**

- (1) **A state institution.**
- (2) **A health facility licensed under IC 16-28.**
- (3) **A hospital licensed under IC 16-21-2.**
- (4) **An intermediate care facility for individuals with intellectual disabilities.**

**In".**

Renumber all SECTIONS consecutively.

(Reference is to SB 396 as printed January 24, 2017.)

KOCH

