

HOUSE BILL No. 1199

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-25.

Synopsis: Palliative care. Requires a home health agency to have a hospice license to provide hospice services. Defines the terms "community based palliative care" and "palliative care". Provides that a hospice provider who has obtained certification in community based palliative care from an organization approved by the state department of health may provide community based palliative care to noneligible hospice patients if the hospice provider meets certain licensing requirements. Makes a technical correction.

Effective: July 1, 2020.

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January 13, 2020, read first time and referred to Committee on Public Health.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1199

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

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

1 SECTION 1. IC 16-18-2-64.6 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: **Sec. 64.6. "Community based**
4 **palliative care"**, for purposes of IC 16-25-4.7, has the meaning set
5 **forth in IC 16-25-4.7-1.**

6 SECTION 2. IC 16-18-2-265.5, AS ADDED BY P.L.43-2016,
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2020]: Sec. 265.5. "Palliative care", for purposes of
9 ~~IC 16-19-17; IC 16-25-4.7~~, has the meaning set forth in ~~IC 16-19-17-2;~~
10 **IC 16-25-4.7-2.**

11 SECTION 3. IC 16-25-3-1 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) For purposes of
13 this chapter, a:

- 14 (1) hospital licensed under IC 16-21-2; **or**
- 15 (2) health facility licensed under IC 16-28-2; ~~or~~
- 16 (3) ~~home health agency licensed under IC 16-27-1;~~
- 17 that operates a hospice program in Indiana must be approved by the



1 state department under this chapter but is not required to have a
2 hospice license.

3 (b) A person not described in subsection (a) who provides hospice
4 services in Indiana must be licensed by the state department under this
5 chapter.

6 SECTION 4. IC 16-25-4.7 IS ADDED TO THE INDIANA CODE
7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2020]:

9 **Chapter 4.7. Palliative Care**

10 **Sec. 1. As used in this chapter, "community based palliative**
11 **care" means patient centered and family focused palliative care**
12 **that is provided in a location that the patient considers to be the**
13 **patient's home.**

14 **Sec. 2. As used in this chapter, "palliative care" means patient**
15 **centered and family focused medical care that optimizes quality of**
16 **life by anticipating, preventing, and treating suffering caused by a**
17 **medical illness or a physical injury or condition that substantially**
18 **affects a patient's quality of life. The term includes the following:**

- 19 (1) Addressing physical, emotional, social, and spiritual needs.
- 20 (2) Providing appropriate care based on patient and family
- 21 need and without regard to the patient's age, stage of illness,
- 22 or prognosis.
- 23 (3) Facilitating patient autonomy and choice of care.
- 24 (4) Allowing for curative and life prolonging treatment in any
- 25 care setting.
- 26 (5) Providing an interdisciplinary team of practitioners,
- 27 including physicians, nurses, and other specialists.
- 28 (6) Providing access to information.
- 29 (7) Discussing the patient's goals for treatment and treatment
- 30 options, including hospice care when appropriate.
- 31 (8) Comprehensively managing pain and symptoms.

32 **Sec. 3. A hospice provider who is licensed in Indiana and who**
33 **has obtained certification in community based palliative care from**
34 **an organization approved by the state department may provide**
35 **community based palliative care to noneligible hospice patients if**
36 **the hospice provider meets the licensing requirements in this**
37 **article.**

