



February 21, 2020

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# ENGROSSED HOUSE BILL No. 1199

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DIGEST OF HB 1199 (Updated February 19, 2020 1:01 pm - DI 123)

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

**Synopsis:** Palliative care. Defines the terms "community based palliative care" and "palliative care". Provides that a hospice provider may provide community based palliative care to a patient who is not eligible for hospice care if the hospice provider: (1) meets certain licensing requirements; and (2) is certified in community based palliative care by an organization approved the state department of health.

**Effective:** July 1, 2020.

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## Clere, Lindauer, Bacon, Fleming

(SENATE SPONSORS — GROOMS, MESSMER, RUCKELSHAUS,  
BREAUX)

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January 13, 2020, read first time and referred to Committee on Public Health.  
January 23, 2020, amended, reported — Do Pass.  
January 27, 2020, read second time, ordered engrossed. Engrossed.  
January 28, 2020, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 5, 2020, read first time and referred to Committee on Health and Provider Services.  
February 20, 2020, amended, reported favorably — Do Pass.

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February 21, 2020

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.

## ENGROSSED HOUSE BILL No. 1199

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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 16-25-4.7 IS ADDED TO THE INDIANA CODE  
12 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2020]:

14 **Chapter 4.7. Palliative Care**

15 **Sec. 1. As used in this chapter, "community based palliative**  
16 **care" means patient centered and family focused palliative care**  
17 **that is provided in a location that the patient considers to be the**

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- 1 patient's home.
- 2 **Sec. 2. As used in this chapter, "palliative care" means patient**
- 3 **centered and family focused medical care that optimizes quality of**
- 4 **life by anticipating, preventing, and treating suffering caused by a**
- 5 **medical illness or a physical injury or condition that substantially**
- 6 **affects a patient's quality of life. The term includes the following:**
- 7 **(1) Addressing physical, emotional, social, and spiritual needs.**
- 8 **(2) Providing appropriate care based on patient and family**
- 9 **need and without regard to the patient's age, stage of illness,**
- 10 **or prognosis.**
- 11 **(3) Facilitating patient autonomy and choice of care.**
- 12 **(4) Allowing for curative and life prolonging treatment in any**
- 13 **care setting.**
- 14 **(5) Providing an interdisciplinary team of practitioners,**
- 15 **including physicians, nurses, and other specialists.**
- 16 **(6) Providing access to information.**
- 17 **(7) Discussing the patient's goals for treatment and treatment**
- 18 **options, including hospice care when appropriate.**
- 19 **(8) Comprehensively managing pain and symptoms.**
- 20 **Sec. 3. A hospice provider who is licensed under IC 16-25-3-1(b)**
- 21 **may provide community based palliative care to a patient who is**
- 22 **not eligible for hospice if the hospice provider:**
- 23 **(1) meets the licensing requirements in this article; and**
- 24 **(2) is certified in community based palliative care by an**
- 25 **organization approved by the state department.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 11 through 17.

Page 2, delete lines 1 through 5.

Page 2, line 32, delete "and who".

Page 2, delete line 33.

Page 2, line 34, delete "an organization approved by the state department".

Page 2, line 35, delete "noneligible hospice patients" and insert "**a patient who is not eligible for hospice**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1199 as introduced.)

KIRCHHOFER

Committee Vote: yeas 9, nays 0.

## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1199, 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:

Page 2, line 20, delete "in Indiana" and insert "**under IC 16-25-3-1(b)**".

Page 2, line 22, delete "provider meets the licensing" and insert "**provider:**".

Page 2, delete line 23, begin a new line block indented and insert:

**"(1) meets the licensing requirements in this article; and**

**(2) is certified in community based palliative care by an organization approved by the state department."**

and when so amended that said bill do pass.

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(Reference is to HB 1199 as printed January 24, 2020.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 7, Nays 1.

