



March 29, 2019

ENGROSSED SENATE BILL No. 33

DIGEST OF SB 33 (Updated March 27, 2019 4:22 pm - DI 113)

Citations Affected: IC 12-8; IC 12-23.

Synopsis: Comprehensive addiction recovery centers. Establishes certification and a grant program for comprehensive addiction recovery centers to be administered by the division of mental health and addiction (division). Sets forth requirements for certification and a grant. Requires entities that are awarded a grant to report specified data to the division. Establishes the comprehensive addiction recovery center fund. Requires the office of the secretary of family and social services to prepare a report on Medicaid nonemergency medical transportation, submit the report to the legislative council, and present the report to the budget committee.

Effective: July 1, 2019.

Merritt, Charbonneau, Becker, Stoops

(HOUSE SPONSORS — KIRCHHOFFER, DAVISSON)

January 3, 2019, read first time and referred to Committee on Health and Provider Services.

February 7, 2019, amended, reported favorably — Do Pass.

February 11, 2019, read second time, ordered engrossed. Engrossed.

February 12, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Public Health.

March 14, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

March 28, 2019, amended, reported — Do Pass.

ES 33—LS 6200/DI 104



March 29, 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.

ENGROSSED SENATE BILL No. 33

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 12-8-1.5-19 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 19. (a) Before August 1, 2019, the office of the**
4 **secretary of family and social services shall do the following:**
5 (1) **Prepare and submit a report as described in subsection (b)**
6 **to the legislative council in an electronic format under**
7 **IC 5-14-6.**
8 (2) **Present the report required under this section to the**
9 **budget committee.**
10 (b) **The report must describe significant metrics related to the**
11 **efficiency of Medicaid nonemergency medical transportation**
12 **providers, including:**
13 (1) **the total number of pickups by Medicaid nonemergency**
14 **medical transportation providers;**
15 (2) **the number of pickups by Medicaid nonemergency**
16 **medical transportation providers in which the transportation**
17 **provider failed to deliver the client to the client's medical**

ES 33—LS 6200/DI 104



1 appointment on time; and

2 (3) the number of pickups by Medicaid nonemergency
3 medical transportation providers in which the client's medical
4 provider canceled or rescheduled the client's medical
5 appointment because the transportation provider failed to
6 deliver the client to the client's medical appointment on time.

7 (c) The report described in subsection (b) must cover the period
8 beginning on the effective date of the contract between the office of
9 the secretary and the sole Medicaid nonemergency medical
10 transportation provider that was in force on January 1, 2019, and
11 ending on the earlier of:

12 (1) the termination date of the contract; or

13 (2) the report cutoff date of July 1, 2019.

14 SECTION 2. IC 12-23-21.5 IS ADDED TO THE INDIANA CODE
15 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2019]:

17 **Chapter 21.5. Comprehensive Addiction Recovery Centers**

18 **Sec. 1. The division shall establish:**

19 (1) a comprehensive addiction recovery center certification
20 for eligible entities that meet the requirements of this chapter;
21 and

22 (2) a comprehensive addiction recovery center grant program
23 for the purpose of assisting in the establishment or operation
24 of comprehensive addiction recovery centers.

25 **Sec. 2. (a) The division may award a grant in accordance with**
26 **this chapter to an eligible entity or group of entities working in**
27 **cooperation to establish or operate a comprehensive addiction**
28 **recovery center. In order for an entity to be certified as a**
29 **comprehensive addiction recovery center and be eligible for a**
30 **grant under this chapter, the entity must apply for the certification**
31 **or grant in the manner set forth by the division and meet the**
32 **following requirements:**

33 (1) Be credentialed to accept reimbursement through all of the
34 following:

35 (A) A policy of accident and sickness insurance (as defined
36 in IC 27-8-5-1).

37 (B) A contract with a health maintenance organization
38 under IC 27-13.

39 (C) The Medicaid program (IC 12-15).

40 (D) Mental health and addiction forensic treatment
41 services under IC 12-23-19.

42 (2) Determine that the applicant carries out or is capable of



1 coordinating with other entities to carry out the following:

2 (A) Community outreach as follows:

3 (i) Train and supervise outreach staff to work with
4 schools, workplaces, faith based organizations, the state
5 department of health, local health departments, law
6 enforcement, and first responders to ensure awareness
7 of the center's services.

8 (ii) Disseminate and make available online evidence
9 based resources that educate professionals and the public
10 on opioid use disorder and other substance use disorders.

11 (B) Treatment and recovery services as follows:

12 (i) Intake evaluation that determines the clinical needs of
13 patients.

14 (ii) Full continuum of treatment services including all
15 drugs approved by the Food and Drug Administration
16 for medication assisted treatment, including withdrawal
17 management and maintenance of substance use
18 disorders.

19 (iii) Treatment services include either partial
20 hospitalization or intensive outpatient, at least one (1)
21 level of residential care, at least one (1) level of inpatient
22 or acute hospitalization, peer support services,
23 outpatient services, including medication management
24 and behavioral therapies, recovery residences, and other
25 services as defined by the division.

26 (iv) Administration of an onsite pharmacy and provision
27 of toxicology services.

28 (C) Establishment and operation of a secure and
29 confidential electronic health information system that is
30 capable of measuring recovery outcomes, including
31 measures of:

32 (i) housing and employment; and

33 (ii) any other measures determined by the division.

34 (D) Partnering with community or faith based entities to
35 offer family support services, including child care, family
36 counseling, and other services as defined by the division.

37 (E) Partnering with entities to deliver job training and
38 workforce readiness services.

39 (3) Use the grant funds to establish or operate a
40 comprehensive addiction recovery center.

41 (b) The division shall give priority to applications by eligible
42 entities that:



1 (1) are geographically distributed around the state and at
2 least in the:

3 (A) North;

4 (B) Central; and

5 (C) South;

6 regions; and

7 (2) meet other criteria or need, as determined by the division.

8 (c) The division may award at least three (3) grants under this
9 chapter.

10 Sec. 3. (a) Not later than September 1, 2020, each entity that is
11 awarded a grant under this chapter to establish or operate a
12 comprehensive addiction recovery center must submit to the
13 division the following data:

14 (1) The programs and activities funded by the grant.

15 (2) The health outcomes, including recovery measures
16 concerning housing and employment, of individuals with a
17 substance use disorder who received services from the center.

18 (3) The effectiveness of interventions designed, tested, and
19 evaluated by the center.

20 (4) Any other information required by the division to:

21 (A) evaluate the effectiveness of the center; and

22 (B) ensure that the center is complying with all of the
23 requirements of the grant, including providing:

24 (i) the full continuum of services described in section 2(a)
25 of this chapter; and

26 (ii) the drugs and devices for overdose reversal.

27 (b) Any data submitted under this section that identifies any
28 patient information of a comprehensive addiction recovery center
29 is confidential. However, the outcomes data may be released to any
30 board, commission, department, division, bureau, committee,
31 agency, office, instrumentality, or authority, by whatever name
32 designated, exercising any part of the executive, administrative,
33 judicial, or legislative power of the state.

34 Sec. 4. (a) The comprehensive addiction recovery center fund is
35 established for the purpose of carrying out this chapter. The fund
36 shall be administered by the division. The expenses of
37 administering the fund shall be paid from money in the fund.

38 (b) The fund shall consist of the following:

39 (1) Money appropriated to the fund by the general assembly.

40 (2) Money received from state or federal grants or programs.

41 (3) Donations, gifts, and money received from any other
42 source.



1 (c) The treasurer of state shall invest the money in the fund not
2 currently needed to meet the obligations of the fund in the same
3 manner as other public money may be invested. Interest that
4 accrues from these investments shall be deposited in the fund.

5 (d) Money in the fund at the end of a state fiscal year does not
6 revert to the state general fund.

7 (e) Expenditures from the fund may not be made unless the
8 expenditure is approved by the executive director for drug
9 prevention, treatment, and enforcement.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 33, 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:

Delete the title and insert the following:

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

Page 1, line 4, delete "Center Grant" and insert "**Centers**".

Page 1, delete line 5.

Page 1, line 6, delete "establish and administer" and insert "**establish:**

(1) a comprehensive addiction recovery center certification for eligible entities that meet the requirements of this chapter; and

(2)".

Page 1, line 9, delete "centers in Indiana." and insert "**centers.**".

Page 1, line 10, delete "shall" and insert "**may**".

Page 1, line 11, delete "that establishes or operates" and insert "**or group of entities working in cooperation to establish or operate**".

Page 1, line 13, after "be" insert "**certified as a comprehensive addiction recovery center and be**".

Page 1, line 14, before "grant" insert "**certification or**".

Page 1, line 16, after "(1)" insert "**Be credentialed to accept reimbursement through all of the following:**

(A) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(B) A contract with a health maintenance organization under IC 27-13.

(C) The Medicaid program (IC 12-15).

(D) Mental health and addiction forensic treatment services under IC 12-23-19.

(2)".

Page 2, line 29, delete "(v)", begin a new line double block indented and insert:

"(C)".

Page 2, line 30, delete "system." and insert "**system that is capable of measuring recovery outcomes, including measures of:**

(i) housing and employment; and

(ii) any other measures determined by the division."



Page 2, line 31, delete "(vi)", begin a new line double block indented and insert:

"(D)".

Page 2, line 34, delete "(2)" and insert **"(3)"**.

Page 2, line 38, delete "located in an area with a high per capita drug overdose" and insert **"geographically distributed around the state and at least in the:**

(A) North;

(B) Central; and

(C) South;

regions; and".

Page 2, delete lines 39 through 40.

Page 2, line 42, delete "only one (1) grant" and insert **"at least three (3) grants"**.

Page 3, line 1, delete "per Indiana congressional district, as in effect on July 1," and insert ".".

Page 3, delete lines 2 through 4.

Page 3, line 10, after "outcomes" insert **", including recovery measures concerning housing and employment,"**.

Page 3, delete lines 21 through 22.

Page 3, line 23, delete "(c)" and insert **"(b)"**.

Page 3, line 24, after "the" insert **"outcomes"**.

Page 3, delete lines 29 through 33, begin a new paragraph and insert:

"Sec. 4. (a) The comprehensive addiction recovery center fund is established for the purpose of carrying out this chapter. The fund shall be administered by the division. The expenses of administering the fund shall be paid from money in the fund.

(b) The fund shall consist of the following:

(1) Money appropriated to the fund by the general assembly.

(2) Money received from state or federal grants or programs.

(3) Donations, gifts, and money received from any other source.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Expenditures from the fund may not be made unless the



expenditure is approved by the executive director for drug prevention, treatment, and enforcement."

and when so amended that said bill do pass.

(Reference is to SB 33 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 33, 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 2, line 12, delete "Provide evidence" and insert "**Determine**".

Page 2, line 25, delete "meets" and insert "**determines**".

Page 2, delete lines 27 through 39, begin a new line triple block indented and insert:

"(ii) Full continuum of treatment services including all drugs approved by the Food and Drug Administration for withdrawal management and maintenance of substance use disorders.

(iii) Treatment services include either partial hospitalization or intensive outpatient, at least one (1) level of residential care, at least one (1) level of inpatient or acute hospitalization, peer support services, outpatient services, including medication management and behavioral therapies, recovery residences, and other services as defined by the division."

Page 3, delete lines 6 through 8, begin a new line double block indented and insert:

"(D) Partnering with community or faith based entities to offer family support services, including child care, family counseling, and other services as defined by the division.

(E) Partnering with entities to deliver job training and workforce readiness services."



Page 3, line 39, after "section" insert "**that identifies any patient information of a comprehensive addiction recovery center**".

and when so amended that said bill do pass.

(Reference is to SB 33 as printed February 8, 2019.)

KIRCHHOFER

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 33, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-8-1.5-19 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 19. (a) Before August 1, 2019, the office of the secretary of family and social services shall do the following:**

(1) Prepare and submit a report as described in subsection (b) to the legislative council in an electronic format under IC 5-14-6.

(2) Present the report required under this section to the budget committee.

(b) The report must describe significant metrics related to the efficiency of Medicaid nonemergency medical transportation providers, including:

(1) the total number of pickups by Medicaid nonemergency medical transportation providers;

(2) the number of pickups by Medicaid nonemergency medical transportation providers in which the transportation provider failed to deliver the client to the client's medical appointment on time; and

(3) the number of pickups by Medicaid nonemergency medical transportation providers in which the client's medical provider canceled or rescheduled the client's medical



appointment because the transportation provider failed to deliver the client to the client's medical appointment on time.

(c) The report described in subsection (b) must cover the period beginning on the effective date of the contract between the office of the secretary and the sole Medicaid nonemergency medical transportation provider that was in force on January 1, 2019, and ending on the earlier of:

(1) the termination date of the contract; or

(2) the report cutoff date of July 1, 2019."

Page 2, line 28, after "for" insert "**medication assisted treatment, including**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to ESB 33 as printed March 15, 2019.)

HUSTON

Committee Vote: yeas 23, nays 0.

