

SENATE BILL No. 231

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-10-10.

Synopsis: CHOICE program. Prohibits the division of aging from requiring a community and home options to institutional care for the elderly and disabled program (CHOICE) provider to be certified under a Medicaid waiver program. Requires a local area agency on aging to negotiate and set reimbursement rates for the CHOICE program. (Current law requires the office of secretary to negotiate the rates in consultation with the local area agencies on aging.)

Effective: July 1, 2024.

Donato

January 10, 2024, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 231

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 12-10-10-6, AS AMENDED BY P.L.47-2009,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 6. **(a)** The community and home options to
4 institutional care for the elderly and disabled program is established.
5 The division shall administer the program and shall do the following:
6 (1) Adopt rules under IC 4-22-2 for the coordination of the
7 program.
8 (2) Administer state and federal money for the program.
9 (3) Develop and implement a process for the management and
10 operation of the program locally through the area agencies on
11 aging based upon criteria developed by the division.
12 (4) Approve the selection of community and home care services
13 providers based upon criteria developed by the division.
14 (5) Review and approve community and home care services plans
15 developed by services providers.
16 (6) Provide training and technical assistance for the staff
17 providers.



- 1 (7) Select or contract with agencies throughout Indiana to provide
- 2 community and home care services.
- 3 (8) Assist the office in applying for Medicaid waivers from the
- 4 United States Department of Health and Human Services to fund
- 5 community and home care services needed by eligible individuals
- 6 under this chapter.
- 7 (9) Have self-directed care options and services available for an
- 8 eligible individual who chooses self-directed care services.
- 9 **(b) The division may not require a provider seeking to provide**
- 10 **services under the program to be certified under a Medicaid**
- 11 **waiver program.**
- 12 SECTION 2. IC 12-10-10-12, AS ADDED BY P.L.246-2005,
- 13 SECTION 100, IS AMENDED TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) ~~The office of the secretary,~~
- 15 ~~in consultation with the~~ **Each** local area ~~agencies~~ **agency** on aging shall
- 16 negotiate **and set** reimbursement rates for services provided under this
- 17 chapter.
- 18 (b) Payments for services under this chapter may not be counted in
- 19 a Medicaid recipient's spend down requirement in IC 12-15.

