

HOUSE BILL No. 1141

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15-1.3-24; IC 12-21-5-8; IC 25-1-9.5-3.5.

Synopsis: Mental health. Requires the office of the secretary of family and social services to apply for a state Medicaid waiver to reimburse providers who provide behavioral health services to committed offenders held by the department of correction. Requires the division of mental health and addiction to: (1) establish a plan to expand the use of certified community behavioral health clinics in Indiana; and (2) make certain considerations in preparing the plan. Expands the application of the telehealth statute to additional practitioners.

Effective: July 1, 2022.

Vermilion

January 6, 2022, read first time and referred to Committee on Public Health.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1141



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 12-15-1.3-24 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2022]: **Sec. 24. Not later than November 1,**
4 **2022, the office of the secretary shall apply to the United States**
5 **Department of Health and Human Services for a Medicaid waiver**
6 **to provide Medicaid reimbursement by:**

- 7 (1) **the office; or**
- 8 (2) **a contractor of the office;**
- 9 **for eligible services provided by qualified medical personnel (as**
10 **defined in IC 11-10-3-1) to provide behavioral health services to a**
11 **committed offender held by the department of correction.**

12 SECTION 2. IC 12-21-5-8 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2022]: **Sec. 8. (a) As used in this section, "certified community**
15 **behavioral health clinic" refers to a community behavioral health**
16 **clinic that has been certified according to criteria established by**
17 **the Secretary of the United States Department of Health and**



1 **Human Services under Section 223 of the federal Protecting Access**
 2 **to Medicare Act of 2014 (P.L. 113-92).**

3 **(b) Not later than November 1, 2022, the division shall establish**
 4 **a plan to expand the use of certified community behavioral health**
 5 **clinics in Indiana.**

6 **(c) The division shall, in preparing the plan required under**
 7 **subsection (b), consider the following:**

8 **(1) Use of crisis hotline centers and mobile crisis teams, as**
 9 **described in IC 12-21-8.**

10 **(2) Use of the federal Substance Abuse and Mental Health**
 11 **Services Administration Certified Community Behavioral**
 12 **Health Clinic Expansion Grants.**

13 **(3) Potential expansion of Medicaid certified community**
 14 **behavioral health clinics under Section 223 of the federal**
 15 **Protecting Access to Medicare Act of 2014 (P.L. 113-92).**

16 **(4) Restructuring state funding for behavioral health services**
 17 **through prospective payment or another financing model.**

18 SECTION 3. IC 25-1-9.5-3.5, AS AMENDED BY P.L.207-2021,
 19 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2022]: Sec. 3.5. As used in this chapter, "practitioner" means
 21 **any of the following:**

22 **(1) An individual who holds an unlimited license to practice as**
 23 **any of the following in Indiana:**

24 ~~(+)~~ **(A) An athletic trainer licensed under IC 25-5.1.**

25 ~~(2)~~ **(B) A chiropractor licensed under IC 25-10.**

26 ~~(3)~~ **(C) A dental hygienist licensed under IC 25-13.**

27 ~~(4)~~ **(D) The following:**

28 ~~(A)~~ **(i) A dentist licensed under IC 25-14.**

29 ~~(B)~~ **(ii) An individual who holds a dental residency permit**
 30 **issued under IC 25-14-1-5.**

31 ~~(C)~~ **(iii) An individual who holds a dental faculty license**
 32 **under IC 25-14-1-5.5.**

33 ~~(5)~~ **(E) A diabetes educator licensed under IC 25-14.3.**

34 ~~(6)~~ **(F) A dietitian licensed under IC 25-14.5.**

35 ~~(7)~~ **(G) A genetic counselor licensed under IC 25-17.3.**

36 ~~(8)~~ **(H) The following:**

37 ~~(A)~~ **(i) A physician licensed under IC 25-22.5.**

38 ~~(B)~~ **(ii) An individual who holds a temporary permit under**
 39 **IC 25-22.5-5-4.**

40 ~~(9)~~ **(I) A nurse licensed under IC 25-23.**

41 ~~(+0)~~ **(J) An occupational therapist licensed under IC 25-23.5.**

42 ~~(+1)~~ **(K) Any behavioral health and human services**



- 1 professional licensed under IC 25-23.6.
 2 ~~(+2)~~ **(L)** An optometrist licensed under IC 25-24.
 3 ~~(+3)~~ **(M)** A pharmacist licensed under IC 25-26.
 4 ~~(+4)~~ **(N)** A physical therapist licensed under IC 25-27.
 5 ~~(+5)~~ **(O)** A physician assistant licensed under IC 25-27.5.
 6 ~~(+6)~~ **(P)** A podiatrist licensed under IC 25-29.
 7 ~~(+7)~~ **(Q)** A psychologist licensed under IC 25-33.
 8 ~~(+8)~~ **(R)** A respiratory care practitioner licensed under
 9 IC 25-34.5.
 10 ~~(+9)~~ **(S)** A speech-language pathologist or audiologist licensed
 11 under IC 25-35.6.
 12 ~~(+20)~~ **(T)** A veterinarian licensed under IC 25-38.1.
 13 ~~(+21)~~ **(U)** A behavior analyst licensed under IC 25-8.5.
 14 **(2) An individual who:**
 15 **(A) is employed by a provider that is licensed, certified, or**
 16 **regulated by the division of mental health and addiction**
 17 **established by IC 12-21-1-1;**
 18 **(B) holds:**
 19 **(i) an unlimited license, certificate, or registration;**
 20 **(ii) a limited or probationary license, certificate, or**
 21 **registration;**
 22 **(iii) a temporary license, certificate, registration, or**
 23 **permit;**
 24 **(iv) an intern permit;**
 25 **(v) a provisional license; or**
 26 **(vi) a postgraduate training permit;**
 27 **issued by the board regulating the profession in question,**
 28 **including a certificate of registration issued under**
 29 **IC 25-20; and**
 30 **(C) provides health care services under this chapter that**
 31 **are within the individual's scope of practice.**
 32 **The term includes a student pursuing a course of study that is**
 33 **required for licensure by a board and who is providing**
 34 **services directed by a licensed individual of the same**
 35 **profession who is eligible to provide telehealth under this**
 36 **section.**
 37 **(3) An individual who:**
 38 **(A) does not qualify as a practitioner under subdivision**
 39 **(2);**
 40 **(B) has a license, certificate, registration, or permit, or is**
 41 **otherwise approved by an Indiana state government**
 42 **department, division, bureau, or agency to provide health**



1 **care services; and**
2 **(C) provides health care services under this chapter that**
3 **are within the individual's scope of practice.**

