

PROPOSED AMENDMENT

HB 1001 # 30

DIGEST

First steps program. Repeals cost participation requirements for the first steps program.

- 1 Page 110, between lines 32 and 33, begin a new paragraph and
2 insert:
3 "SECTION 59. IC 12-12.7-2-6, AS AMENDED BY P.L.108-2019,
4 SECTION 191, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The division shall do the
6 following:
7 (1) Carry out the general administration and supervision of
8 programs and activities receiving assistance under this chapter,
9 monitor programs and activities implemented by the state,
10 regardless of whether the programs and activities are receiving
11 assistance under this chapter, and ensure that the state complies
12 with 20 U.S.C. 1431 through 1444 in implementing this chapter.
13 (2) Identify and coordinate all available resources from federal,
14 state, local, and private sources, and use all applicable resources
15 to the full extent of the resources.
16 (3) Develop procedures to ensure that early intervention services
17 are provided to infants and toddlers with disabilities and their
18 families in a timely manner pending the resolution of disputes
19 among public agencies and providers.
20 (4) Resolve disputes within an agency or between agencies.
21 (5) Enter into formal interagency agreements that define the
22 financial responsibility of each agency for paying for early
23 intervention services consistent with Indiana law and procedures
24 for resolving disputes, including all additional components
25 necessary to ensure meaningful cooperation and coordination.
26 (6) Develop and implement utilization review procedures for
27 services provided under this chapter.
28 (7) ~~Adopt rules under IC 4-22-2 to establish a cost participation~~

1 schedule for purposes of section 17 of this chapter.

2 (b) The state shall designate an individual or entity responsible for
3 assigning financial responsibility among appropriate agencies under
4 this chapter.

5 SECTION 60. IC 12-12.7-2-17 IS REPEALED [EFFECTIVE JULY
6 1, 2025]. Sec. 17. (a) As used in this section, "per unit of treatment"
7 means an increment of fifteen (15) minutes for services provided to an
8 individual:

9 (b) A family shall participate in the cost of programs and services
10 provided under this chapter to the extent allowed by federal law
11 according to a cost participation schedule established by the division:
12 The cost participation schedule must be based on the federal income
13 poverty level and set forth a copayment per unit of treatment and a
14 maximum monthly cost share amount:

15 (c) A cost participation plan used by the division for families to
16 participate in the cost of the programs and services provided under this
17 chapter:

18 (1) must:

19 (A) be based on income and ability to pay;

20 (B) provide for a review of a family's cost participation
21 amount:

22 (i) annually; and

23 (ii) within thirty (30) days after the family reports a
24 reduction in income; and

25 (C) allow the division to waive a required copayment if other
26 medical expenses or personal care needs expenses for any
27 member of the family reduce the level of income the family
28 has available to pay copayments under this section;

29 (2) may allow a family to voluntarily contribute payments that
30 exceed the family's required cost participation amount;

31 (3) must require the family to allow the division access to all
32 health care coverage information that the family has concerning
33 the infant or toddler who is to receive services;

34 (4) must require families to consent to the division billing third
35 party payors for early intervention services provided;

36 (5) may allow the division to waive the billing to third party
37 payors if the family is able to demonstrate financial or personal
38 hardship on the part of the family member; and

39 (6) must require the division to waive the family's monthly
40 copayments in any month for those services for which it receives

1 payment from the family's health insurance coverage.

2 (d) Funds received through a cost participation plan under this
3 section must be used to fund programs described in section 18 of this
4 chapter.

5 (e) Before the division may make a change to the cost participation
6 schedule, the division must do the following:

7 (1) Release the proposed changes to the cost participation
8 schedule for public comment no later than September 1 in the
9 year before the change will be effective.

10 (2) Allow a sixty (60) day public comment period on the proposed
11 changes to the cost participation schedule.

12 (3) Implement any change to the cost participation schedule no
13 earlier than July 1 of the year following the release of the
14 proposed change under subdivision (1):

15 SECTION 61. IC 12-12.7-2-17.3 IS REPEALED [EFFECTIVE
16 JULY 1, 2025]. See: 17.3: Subject to any federal requirements under
17 20 U.S.C. 1431 et seq., for purposes of determining a family's income
18 under section 17 of this chapter, a family is presumed to have an
19 income that is not more than two hundred fifty percent (250%) of the
20 federal income poverty level if the family is receiving benefits under
21 any of the following:

22 (1) The Medicaid program.

23 (2) The Supplemental Nutrition Assistance Program (SNAP).

24 (3) The Temporary Assistance for Needy Families (TANF)
25 program.

26 (4) Any other program approved by the division.

27 SECTION 62. IC 12-12.7-2-17.5 IS REPEALED [EFFECTIVE
28 JULY 1, 2025]. See: 17.5: (a) Subject to subsection (b), the agency may
29 do any of the following for any amount owed under section 17 of this
30 chapter by a person if the amount owed is more than sixty (60) days
31 past due:

32 (1) Set off under IC 6-8.1-9.5 on any state tax refund owed to the
33 person against the delinquent debt.

34 (2) Terminate services provided to an individual under the
35 program for failure to pay the cost participation set forth in
36 section 17 of this chapter.

37 (b) The agency may not terminate services under subsection (a)(2)
38 until the agency has provided the family with written notice:

39 (1) stating:

40 (A) the amount of money owed by the family that is past due

- 1 for services provided; and
- 2 (B) the amount of payment necessary in order to prevent
- 3 termination of services; and
- 4 (2) advising the family to contact the agency:
- 5 (A) for assistance; or
- 6 (B) to negotiate an alternative payment arrangement or to
- 7 recalculate the amount of payment owed.".

8 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as introduced.)