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|--------------------|---------------------|
| PREVAILED          | Roll Call No. _____ |
| FAILED             | Ayes _____          |
| WITHDRAWN          | Noes _____          |
| RULED OUT OF ORDER |                     |

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1124 be amended to read as follows:

- 1 Page 5, after line 18 , begin a new paragraph and insert:
- 2 "SECTION 1. [EFFECTIVE JULY 1, 2000] (a) **As used in this**
- 3 **SECTION, "committee" refers to the state care facilities oversight**
- 4 **committee established by this SECTION.**
- 5 (b) **As used in this SECTION, "state care facility" refers to a:**
- 6 (1) **state institution (as defined by IC 12-7-2-184); or**
- 7 (2) **special institution under the administrative control of the**
- 8 **state health commissioner (IC 16-19-6-5).**
- 9 (c) **As used in this SECTION, "agency" refers to the office of**
- 10 **the secretary of family and social services.**
- 11 (d) **The state care facilities oversight committee is established.**
- 12 (e) **The committee consists of twenty-four (24) voting**
- 13 **members, appointed as follows:**
- 14 (1) **Eight members appointed by the president pro tempore**
- 15 **of the senate and the speaker of the house of representatives,**
- 16 **appointed as follows:**
- 17 (A) **Four (4) members shall be appointed by the**
- 18 **president pro tempore of the senate. Not more than two**
- 19 **(2) of the members appointed under this subdivision may**
- 20 **be of the same political party; and**
- 21 (B) **Four (4) members shall be appointed by the speaker**
- 22 **of the house of representatives. Not more than two (2) of**
- 23 **the members appointed under this subdivision may be of**
- 24 **the same political party.**
- 25 **At least one-half (1/2) of the members of the committee**
- 26 **appointed by the speaker of the house of representatives and**
- 27 **at least one-half (1/2) of the members appointed by the**

- 1 president pro tempore of the senate must represent  
2 legislative districts in which a state care facility is located.
- 3 (2) Two individuals representing the agency, including the  
4 division directors of:
- 5 (A) disability, aging and rehabilitative services; and  
6 (B) the division of mental health.
- 7 (3) Fourteen (14) individuals who are not members of the  
8 general assembly and who are appointed by the governor as  
9 follows:
- 10 (A) Four (4) individuals representing business and  
11 industry, not more than two (2) of whom may be  
12 affiliated with the same political party.
- 13 (B) Four (4) individuals representing local government,  
14 not more than two (2) of whom may be affiliated with the  
15 same political party.
- 16 (C) Two (2) individuals representing families of those  
17 living in state care facilities, not more than (1) of whom  
18 may be affiliated with the same political party.
- 19 (D) Two (2) individuals representing the general public,  
20 not more than one (1) of whom may be affiliated with the  
21 same political party.
- 22 (E) Two (2) individuals representing the following  
23 interests:
- 24 (i) One (1) individual representing the department  
25 of corrections who works with incarcerated  
26 individuals having mental health needs.
- 27 (ii) One (1) individual representing the Association  
28 of Retarded Citizens.
- 29 (f) Appointments are valid for two (2) years after the date of  
30 the appointment. However, a member shall serve on the committee  
31 until a new appointment is made.
- 32 (g) A vacancy among the members of the committee shall be  
33 filled by the appointing authority of the member whose position is  
34 vacant. If the appointing authority does not fill a vacancy within  
35 sixty (60) days after the date the vacancy occurs, the vacancy shall  
36 be filled by the chair of the legislative council.
- 37 (h) The chair of the legislative council shall designate a  
38 member of the committee to be the chair of the committee
- 39 (i) The chair of the committee shall call for the committee to  
40 meet at least six (6) times during a calendar year. The chair may  
41 designate subcommittees to meet between committee meetings and  
42 report back to the full committee.
- 43 (j) Each member of the committee is entitled to receive the  
44 same per diem, mileage, and travel allowances paid to individuals  
45 who serve as legislative and lay members, respectively, serving on  
46 interim study committees established by the legislative council.
- 47 (k) The committee shall operate under the policies governing  
48 study committees adopted by the legislative council.
- 49 (l) The legislative services agency shall provide staff support  
50 to the committee.
- 51 (m) The affirmative votes of a majority of the voting members

1 appointed to the committee are required for the committee to take  
2 action on any measure, including final reports.

3 (n) The committee shall study, investigate, and oversee the  
4 following issues:

5 (1) The current operating practices of state care facilities.

6 (2) The nature and needs of the populations served by state  
7 care facilities.

8 (3) Staffing, training and resource needs of state care  
9 facilities.

10 (4) Funding and the financial status of state care facilities.

11 (5) Legislative and administrative changes needed to serve  
12 the populations of state care facilities.

13 (6) Any other matter related to state care facilities.

14 (o) The committee shall submit:

15 (1) an interim report of the committee's findings and  
16 recommendations to the legislative council by October 31,  
17 2000; and

18 (2) a final report of the committee's findings and  
19 recommendations to the legislative council by October 31,  
20 2001.

21 (p) A state care facility shall, upon request, submit information  
22 to the committee.

23 (q) The agency division directors of disability, aging and  
24 rehabilitative services and the division of mental health, and  
25 the state health commissioner shall report to the committee  
26 each month concerning each state care facility under their  
27 administrative control and responsibility, the following:

28 (1) The status and progress of a five (5) year long-range plan  
29 to improve:

30 (A) Staffing and training of nursing care staff, and other  
31 support staff.

32 (B) Funding for hiring a sufficient number of  
33 competent, reliable staff members.

34 (C) The physical plant.

35 (D) Properly monitored community placement.

36 (2) Proposed rules and rulemaking in progress.

37 (3) Current financial status of state operated care facilities.

38 (4) Current staffing levels and training of nursing and  
39 support staff.

40 (4) Any additional matter requested by the committee.

41 (q) The council on state operated care facilities created by  
42 executive order 99-19 shall submit a copy of the council's interim  
43 and final reports to the committee at the same time the council  
44 submits the reports to the governor.

45 (r) This SECTION expires December 31, 2001."

(Reference is to HB 1124 as printed January 27, 2000.)

