



February 20, 2001

HOUSE BILL No. 1799

DIGEST OF HB 1799 (Updated February 15, 2001 9:19 AM - DI 98)

Citations Affected: IC 12-13; IC 12-14; IC 12-17.2; IC 12-17.4.

Synopsis: Division of family and children matters. Increases the allowable reimbursement for various burial fees for recipients of public assistance. Changes the name of the "bureau of community services" within the division of family and children to the "bureau of family resources". Changes the definition of "community action agency" to include: (1) a private nonprofit organization that is geographically located within a community; (2) a private nonprofit organization that is located in a county or counties contiguous to or within reasonable proximity of a community; and (3) a political subdivision if there is otherwise no qualified nonprofit organization. Requires employees of child care institutions, group homes, and child care centers to be currently (as opposed to "annually") certified in cardiopulmonary resuscitation (CPR).

Effective: July 1, 2001.

Cheney, Budak, Becker

January 17, 2001, read first time and referred to Committee on Ways and Means.
February 19, 2001, reported — Do Pass.

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HB 1799—LS 7384/DI 104+



February 20, 2001

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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HOUSE BILL No. 1799

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 12-13-6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The following
3 bureaus are established within the division:
4 (1) A bureau of family independence.
5 (2) A family protection bureau.
6 (3) A youth development bureau that includes a children's
7 disabilities services unit.
8 (4) A bureau of child care services.
9 (5) A bureau of residential services.
10 (6) A bureau of ~~community services~~: **family resources**.
11 (7) A food stamp bureau.
12 (8) A child support bureau.
13 SECTION 2. IC 12-14-6-1, AS AMENDED BY P.L.273-1999,
14 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2001]: Sec. 1. (a) This section applies upon the death of either
16 of the following:
17 (1) A recipient who is receiving assistance as a dependent child.

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1 (2) A parent of the recipient.

2 (b) ~~Unless otherwise determined by the director,~~ The division shall

3 pay ~~six hundred dollars (\$600)~~ **one thousand two hundred dollars**

4 **(\$1,200)** for the funeral director's expenses of the decedent if the

5 following conditions exist:

6 (1) The estate of the deceased is insufficient to pay the funeral

7 director's expenses.

8 (2) The person legally responsible for the burial of the deceased

9 is unable to pay the funeral director's expenses.

10 SECTION 3. IC 12-14-6-2, AS AMENDED BY P.L.273-1999,

11 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

12 JULY 1, 2001]: Sec. 2. ~~Unless otherwise determined by the director,~~ In

13 addition to the amount paid under section 1 of this chapter, not more

14 than ~~four hundred dollars (\$400)~~ **eight hundred dollars (\$800)** shall

15 be paid for the cemetery's expenses for the following:

16 (1) To cover provision of burial rights if necessary.

17 (2) Opening and closing a burial plot and provision of an outer

18 container.

19 (3) Service required by the cemetery authorities.

20 SECTION 4. IC 12-14-10-1 IS AMENDED TO READ AS

21 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The bureau of

22 ~~community services family resources~~ is established within the division

23 **of family and children.**

24 SECTION 5. IC 12-14-10-2 IS AMENDED TO READ AS

25 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The bureau of

26 ~~community services family resources~~ shall perform the following

27 duties:

28 (1) Provide a range of services and activities having a measurable

29 and potentially major impact on causes of poverty.

30 (2) Provide activities designed to assist low income participants,

31 including the elderly poor, to do the following:

32 (A) Secure and retain meaningful employment.

33 (B) Attain an adequate education.

34 (C) Make better use of available income.

35 (D) Obtain and maintain adequate housing and a suitable

36 living environment.

37 (E) Obtain emergency assistance through loans or grants to

38 meet immediate and urgent individual and family needs,

39 including the need for health services, energy assistance,

40 nutritious food, housing, and employment related assistance.

41 (F) Remove obstacles and solve problems that block the

42 achievement of self-sufficiency.

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- 1 (G) Achieve greater participation in the affairs of the
- 2 community.
- 3 (H) Make more effective use of other programs related to the
- 4 purposes of this chapter.
- 5 (3) Provide on an emergency basis for the provision of supplies,
- 6 nutritious foodstuffs, and related services that are necessary to
- 7 counteract conditions of starvation and malnutrition among the
- 8 poor.
- 9 (4) Coordinate and establish linkages between governmental and
- 10 other social services programs to assure the effective delivery of
- 11 services to low income individuals.
- 12 (5) Encourage the use of entities in the private sector of the
- 13 community in efforts to ameliorate poverty in the community.
- 14 (6) Coordinate the provision of available services for migrant
- 15 farmworkers.
- 16 (7) Administer the home energy assistance program established
- 17 by IC 12-14-11.
- 18 (8) Administer the low income home weatherization programs
- 19 conducted by the division.

20 SECTION 6. IC 12-14-12-9 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The commission
 22 shall do the following:

- 23 (1) Serve as an advisory body to the director and the bureau of
- 24 ~~community services~~ **family resources** regarding federal housing
- 25 programs administered by the division.
- 26 (2) Recommend the policies and procedures necessary to carry
- 27 out this chapter.

28 SECTION 7. IC 12-14-17-2, AS AMENDED BY P.L.273-1999,
 29 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2001]: Sec. 2. (a) This section applies upon the death of either
 31 of the following:

- 32 (1) A recipient who is receiving supplemental assistance.
- 33 (2) An aged, blind, or disabled person who at the time of death
- 34 was certified as eligible to receive medical assistance under
- 35 Medicaid.

36 (b) ~~Unless otherwise determined by the director,~~ The division shall
 37 pay ~~six hundred dollars (\$600)~~ **one thousand two hundred dollars**
 38 **(\$1,200)** for the funeral director's expenses of the decedent if the
 39 following conditions exist:

- 40 (1) The estate of the deceased is insufficient to pay the funeral
- 41 director's expenses.
- 42 (2) The individual legally responsible for the burial of the

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1 deceased is unable to pay the funeral director's expenses.

2 SECTION 8. IC 12-14-17-3, AS AMENDED BY P.L.273-1999,
3 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2001]: Sec. 3. ~~Unless otherwise determined by the director,~~ In
5 addition to money paid by the division under section 2 of this chapter
6 and even if the deceased or person legally responsible for the deceased
7 possesses a burial lot, the division shall pay ~~four hundred dollars~~
8 **(~~\$400~~) eight hundred dollars (\$800)** for the cemetery's expenses for
9 the deceased to cover the following:

- 10 (1) The provision of burial rights if necessary.
11 (2) The opening and closing of a burial plot and provision of an
12 outer container.
13 (3) The service required by the cemetery authorities.

14 SECTION 9. IC 12-14-23-2 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this
16 chapter, "community action agency" means an entity that meets the
17 following conditions:

- 18 (1) Is any of the following:
19 (A) ~~A political subdivision of the state:~~ **private nonprofit**
20 **organization that is geographically located within a**
21 **community.**
22 (B) ~~A combination of political subdivisions:~~ **private nonprofit**
23 **organization that is located in a county or counties**
24 **contiguous to or within reasonable proximity of a**
25 **community.**
26 (C) ~~An agency of a political subdivision:~~ **A political**
27 **subdivision if there is no qualified nonprofit organization**
28 **identified that meets the criteria set forth in clause A or B.**
29 ~~(D) A private nonprofit agency:~~
30 (2) Has the authority under state or federal law to receive money
31 to support the community action programs described in sections
32 3 and 4 of this chapter.
33 (3) Is designated as a community action agency by the governor
34 or by federal law.

35 SECTION 10. IC 12-17.2-4-2 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be
37 issued only if a child care center is in compliance with food, health,
38 safety, and sanitation standards as determined by the division under
39 rules adopted by the division under IC 12-17.2-2-4 or in accordance
40 with a variance or waiver approved by the division under
41 IC 12-17.2-2-10.

- 42 (b) A license may be issued only if the child care center is in

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1 substantial compliance with the fire and life safety rules as determined
 2 by the state fire marshal under rules adopted by the division under
 3 IC 12-17.2-2-4 or in accordance with a variance or waiver approved by
 4 the division under IC 12-17.2-2-10.

5 (c) The division may issue a waiver or variance regarding a
 6 determination by the division or the state fire marshal under
 7 subsections (a) and (b).

8 (d) Except as provided in subsection (e), the division may issue a
 9 license under this chapter only if the child care center is staffed, when
 10 children are being cared for, by at least one (1) child care provider who
 11 is **annually currently** certified in a program on pediatric
 12 cardiopulmonary resuscitation and pediatric airway obstruction under
 13 the American Heart Association's Basic Life Support Course D or any
 14 other comparable course approved by the division.

15 (e) The requirement set forth in subsection (d) does not apply to a
 16 child care center that:

17 (1) serves only children who are at least thirteen (13) years of age
 18 and less **than** twenty-one (21) years of age; and

19 (2) has on duty, when the children are being cared for, at least one
 20 (1) child care provider who is **annually currently** certified in a
 21 program on ~~cardiopulmonary~~ **cardiopulmonary** resuscitation as
 22 required by the division.

23 (f) Upon request, the county department of public welfare shall
 24 provide, within forty-eight (48) hours, excluding weekends and
 25 holidays, copies of substantiated noncompliances and other
 26 substantiated complaints filed with the division of family and children
 27 concerning a licensed child care center.

28 SECTION 11. IC 12-17.4-3-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) A license may be
 30 issued only if the child caring institution is in substantial compliance
 31 with food, health, safety, and sanitation standards under rules adopted
 32 by the division under IC 12-17.4-2-4 or in accordance with a variance
 33 or waiver approved by the division under IC 12-17.4-2-8.

34 (b) A license may be issued only if the child caring institution is in
 35 compliance with the fire and life safety rules as determined by the state
 36 fire marshal under rules adopted by the division under IC 12-17.4-2-4
 37 or in accordance with a variance or waiver approved by the division
 38 under IC 12-17.4-2-8.

39 (c) The division may issue a waiver or variance regarding a
 40 determination by the state fire marshal under subsection (b).

41 (d) Except as provided in subsection (e), the division may not issue
 42 a license under this chapter unless the child caring institution is staffed

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1 by, when children are being cared for, at least one (1) child care
2 provider who is **annually currently** certified in a program on pediatric
3 cardiopulmonary resuscitation and pediatric airway obstruction under
4 the American Heart Association's Basic Life Support Course D or any
5 other comparable course approved by the division.

6 (e) The requirement under subsection (d) does not apply to a child
7 caring institution that only serves children who are at least thirteen (13)
8 years of age and less than twenty-one (21) years of age. However, a
9 child caring institution that only serves children who are at least
10 thirteen (13) years of age and less than twenty-one (21) years of age
11 must have on duty, when children are being cared for, at least one (1)
12 child care provider who is **annually currently** certified in a program on
13 cardiopulmonary resuscitation as required by the division.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1799, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

SUMMERS, Chair

Committee Vote: yeas 13, nays 0.

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