

# SENATE BILL No. 278

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** P.L.37-1998, SECTION 3.

**Synopsis:** Commission on mental health. Extends the expiration of the Indiana commission on mental health until January 1, 2004.

**Effective:** December 31, 2001 (retroactive).

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### Johnson

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January 7, 2002, read first time and referred to Committee on Rules and Legislative Procedure.

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Second Regular Session 112th General Assembly (2002)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

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# SENATE BILL No. 278



A BILL FOR AN ACT concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. P.L.37-1998, SECTION 3, IS AMENDED TO READ
- 2 AS FOLLOWS [EFFECTIVE DECEMBER 31, 2001
- 3 (RETROACTIVE)]: SECTION 3. (a) As used in this SECTION,
- 4 "commission" refers to the Indiana commission on mental health
- 5 established by this SECTION.
- 6 (b) The Indiana commission on mental health is established.
- 7 (c) The commission consists of sixteen (16) members. The speaker
- 8 of the house of representatives and the president pro tempore of the
- 9 senate shall each appoint two (2) legislative members, who may not be
- 10 from the same political party, to serve on the commission. The
- 11 governor shall appoint twelve (12) lay members, not more than six (6)
- 12 of whom may be from the same political party, to serve on the
- 13 commission as follows:
- 14 (1) Four (4) at-large members, not more than two (2) of whom
- 15 may be from the same political party.
- 16 (2) Two (2) consumers of mental health services.
- 17 (3) Two (2) representatives of different advocacy groups for
- 18 consumers of mental health services.



- 1 (4) Two (2) members of families of consumers of mental health  
2 services.
- 3 (5) Two (2) members who represent mental health providers. One  
4 (1) of the members appointed under this subdivision must be a  
5 physician licensed under IC 25-22.5.
- 6 (d) Except for the members appointed under subsection (c)(5), the  
7 members of the commission may not have a financial interest in the  
8 subject matter to be studied by the commission.
- 9 (e) The chairman of the legislative council shall designate a  
10 legislative member of the commission to serve as chairman of the  
11 commission.
- 12 (f) Each legislative member and each lay member of the  
13 commission is entitled to receive the same per diem, mileage, and  
14 travel allowances paid to individuals serving as legislative and lay  
15 members, respectively, on interim study committees established by the  
16 legislative council.
- 17 (g) The commission shall do the following:
- 18 (1) Study and evaluate the funding system for managed care  
19 providers of mental health services.
- 20 (2) Review and make specific recommendations regarding the  
21 provision of mental health services delivered by community  
22 managed care providers and state operated hospitals.
- 23 (3) Review and make recommendations regarding any unmet need  
24 for public supported mental health services in any specific  
25 geographic area or throughout Indiana. In formulating these  
26 recommendations, the commission shall consider the need,  
27 feasibility, and desirability of including additional organizations  
28 in the network of managed care providers.
- 29 (4) Review the results of the actuarial study which must be  
30 submitted by the division of mental health to the commission not  
31 later than thirty (30) days after completion of the actuarial study.
- 32 (5) Make recommendations regarding the application of the  
33 actuarial study by the division of mental health to the  
34 determination of service needs, eligibility criteria, payment, and  
35 prioritization of service.
- 36 ~~(h) The commission shall submit recommendations under~~  
37 ~~subsection (g) to the secretary of the family and social services~~  
38 ~~administration and to the legislative council before July 1, 1998.~~
- 39 (i) (h) The commission shall:
- 40 (1) monitor the implementation of managed care programs for all  
41 populations of the mentally ill that are eligible for care that is paid  
42 for in part or in whole by the state; and

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1           (2) make recommendations regarding the commission's findings  
2           under subdivision (1) to the appropriate division or department.  
3        ~~(j)~~ **(i)** This SECTION expires January 1, ~~2002~~: **2004**.  
4        **SECTION 2. An emergency is declared for this act.**

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