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# HOUSE BILL No. 1046

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-33-4-11.

**Synopsis:** Admission to Soldiers' and Sailors' Children's Home. Eliminates the admissions committee for the Soldiers' and Sailors' Children's Home and allows the superintendent to decide whether to admit a child to the home with the approval of the state health commissioner.

**Effective:** Upon passage.

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January 8, 2002, read first time and referred to Committee on Withdrawn.

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

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# HOUSE BILL No. 1046



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 16-33-4-11 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) After  
 3 ~~consideration of appropriateness of placement by an admissions~~  
 4 ~~committee that consists of:~~  
 5 ~~(1) an adequate investigation as determined by the~~  
 6 ~~superintendent of the home or the superintendent's designee,~~  
 7 ~~(2) the state health commissioner or the commissioner's designee;~~  
 8 ~~and~~  
 9 ~~(3) the superintendent of the department of education or the~~  
 10 ~~superintendent's designee; and~~  
 11 ~~(4) the secretary of family and social services or the secretary's~~  
 12 ~~designee;~~  
 13 **including consideration of appropriateness of placement, and with**  
 14 **the approval of the state health commissioner or the**  
 15 **commissioner's designee,** the superintendent of the home shall receive  
 16 as a resident in the home a child if the child meets the requirements  
 17 under subsection (b).



1 (b) Before the child may be received as a resident in the home under  
2 subsection (a) the child must meet the following requirements:

3 (1) The parent or parents of the child are Indiana residents  
4 immediately before application or the child is physically present  
5 in Indiana immediately before application.

6 (2) The child is at least three (3) years of age but less than  
7 eighteen (18) years of age.

8 (3) The child is in need of residential care and education.

9 (c) If the applications of all children of members of the armed forces  
10 have been considered and space is available, the superintendent of the  
11 home may, ~~subject to this section, recommend for admission if a child~~  
12 **meets the requirements under subsection (b), receive as residents**  
13 **in the home** the:

14 (1) grandchildren;

15 (2) stepchildren;

16 (3) brothers;

17 (4) sisters;

18 (5) nephews; and

19 (6) nieces;

20 of members of the armed forces who are in need of residential care and  
21 education.

22 (d) If the applications of all children eligible for residence under  
23 subsections (a) through (c) have been considered and if space is  
24 available, the superintendent ~~shall~~ **may** accept for residence children  
25 referred:

26 (1) by the division of family and children established by  
27 IC 12-13-1-1; or

28 (2) by the division of special education established by  
29 IC 20-1-6-2.1;

30 subject to **an adequate investigation as determined by the**  
31 **superintendent of the home or the superintendent's designee,**  
32 **including a consideration of appropriateness of placement, by the**  
33 **admissions committee under subsection (a); and the approval of the**  
34 **state health commissioner or the commissioner's designee.**

35 SECTION 2. An emergency is declared for this act.

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