



March 16, 2005

ENGROSSED
SENATE BILL No. 572

DIGEST OF SB 572 (Updated March 15, 2005 1:11 pm - DI 77)

Citations Affected: Noncode.

Synopsis: Medicaid waiver for family planning services. Requires the office of Medicaid policy and planning to apply for a demonstration waiver to extend Medicaid coverage of family planning services for certain women.

Effective: Upon passage.

**Miller, Simpson, Meeks, Breaux,
Kenley, Young R Michael**
(HOUSE SPONSORS — BROWN T, BROWN C)

January 20, 2005, read first time and referred to Committee on Health and Provider Services.

February 17, 2005, amended, reported favorably — Do Pass.

February 21, 2005, read second time, ordered engrossed.

February 22, 2005, engrossed.

February 28, 2005, read third time, passed. Yeas 40, nays 8.

HOUSE ACTION

March 8, 2005, read first time and referred to Committee on Public Health.

March 15, 2005, reported — Do Pass.

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ES 572—LS 6374/DI 110+



March 16, 2005

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 572

A BILL FOR AN ACT concerning Medicaid.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "family planning services" does not include the
3 performance of abortions or the use of a drug or device intended
4 to terminate a pregnancy after fertilization.
5 (b) As used in this SECTION, "fertilization" means the joining
6 of a human egg cell with a human sperm cell.
7 (c) As used in this SECTION, "office" refers to the office of
8 Medicaid policy and planning established by IC 12-8-6-1.
9 (d) As used in this SECTION, "waiver" refers to a Section 1115
10 demonstration waiver under the federal Social Security Act (42
11 U.S.C. 1315).
12 (e) Before January 1, 2006, the office shall apply to the United
13 States Department of Health and Human Services for approval of
14 a waiver to:
15 (1) continue coverage of family planning services for a woman
16 described in IC 12-15-2-13 for two (2) years after the
17 expiration of the postpartum eligibility period under
18 IC 12-15-2-13(d); and

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1 **(2) provide Medicaid coverage for any other service required**
2 **by the waiver.**
3 **The waiver application must include language stating that the**
4 **waiver will not include coverage for the performance of abortions**
5 **or the use of a drug or device intended to terminate a pregnancy**
6 **after fertilization.**
7 **(f) If a provision of this SECTION differs from the**
8 **requirements of a waiver, the office shall submit the waiver request**
9 **in a manner that complies with the requirements of the waiver.**
10 **However, if the waiver is approved, the office, not more than one**
11 **hundred twenty (120) days after the waiver is approved, shall**
12 **apply for an amendment to the waiver that contains the provisions**
13 **of this SECTION that were not included in the approved waiver.**
14 **(g) The office may not implement the waiver until the office files**
15 **an affidavit with the governor attesting that the waiver applied for**
16 **under this SECTION is in effect. The office shall file the affidavit**
17 **under this subsection not more than five (5) days after the office is**
18 **notified that the waiver is approved.**
19 **(h) If the office receives a waiver under this SECTION from the**
20 **United States Department of Health and Human Services and the**
21 **governor receives the affidavit filed under subsection (g), the office**
22 **shall implement the waiver not more than sixty (60) days after the**
23 **governor receives the affidavit.**
24 **(i) The office may adopt rules under IC 4-22-2 to implement this**
25 **SECTION.**
26 **(j) This SECTION expires January 1, 2011.**
27 **SECTION 2. An emergency is declared for this act.**

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SENATE MOTION

Madam President: I move that Senator Meeks be added as coauthor of Senate Bill 572.

SIMPSON

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 572.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 572, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 2, delete "refers to family planning" and insert "**does not include the performance of abortions or the use of a drug or device intended to terminate a pregnancy after fertilization.**".

Page 1, delete line 3.

Page 1, line 4, after "(b)" insert "**As used in this SECTION, "fertilization" means the joining of a human egg cell with a human sperm cell.**

(c)".

Page 1, line 6, delete "(c)" and insert "**(d)**".

Page 1, line 9, delete "(d)" and insert "**(e)**".

Page 1, between lines 17 and 18, begin a new line blocked left and insert:

"The waiver application must include language stating that the waiver will not include coverage for the performance of abortions or the use of a drug or device intended to terminate a pregnancy after fertilization."

Page 1, line 18, delete "(e)" and insert "**(f)**".

Page 2, line 7, delete "(f)" and insert "**(g)**".

Page 2, line 12, delete "(g)" and insert "**(h)**".

Page 2, line 14, delete "(f)," and insert "**(g),"**

Page 2, line 17, delete "(h)" and insert "**(i)**".

Page 2, line 19, delete "(i)" and insert "**(j)**".

and when so amended that said bill do pass.

(Reference is to SB 572 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

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SENATE MOTION

Madam President: I move that Senator Simpson be removed as author of Engrossed Senate Bill 572 and that Senator Miller be substituted therefor.

SIMPSON

SENATE MOTION

Madam President: I move that Senator Kenley be removed as second author of Engrossed Senate Bill 572.

KENLEY

SENATE MOTION

Madam President: I move that Senator Simpson be added as second author of Engrossed Senate Bill 572.

MILLER

SENATE MOTION

Madam President: I move that Senators Kenley and Young R Michael be added as coauthors of Engrossed Senate Bill 572.

MILLER

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 572, 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.

BECKER, Chair

Committee Vote: yeas 11, nays 0.

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