

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WITHDRAWN	Noes _____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

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

MR. SPEAKER:

I move that House Bill 1750 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 though 3.
- 3 Page 4, delete lines 1 though 17.
- 4 Page 4, line 21, delete "IC 16-27-1;" and insert "**IC 16-27-1 are**
- 5 **approved to provide home health services;**".
- 6 Page 4, line 22, delete "IC 16-27-4;" and insert "**IC 16-27-4 are**
- 7 **approved to provide personal services;**".
- 8 Page 4, line 23, delete "are approved to provide home health
- 9 services".
- 10 Page 5, line 17, delete "FOLLOW" and insert "FOLLOWS".
- 11 Page 5, line 39, delete "16-27-4-3" and insert "**16-27-4-4**".
- 12 Page 6, line 2, delete "16-27-4-4" and insert "**16-27-4-5**".
- 13 Page 6, between lines 41 and 42, begin a new paragraph and insert:
- 14 "SECTION 10. IC 16-27-1-7 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. The state department
- 16 shall adopt rules under IC 4-22-2 to do the following:
- 17 (1) Protect the health, safety, and welfare of patients.
- 18 (2) Govern the qualifications of applicants for licenses.
- 19 (3) Govern the operating policies, supervision, and maintenance
- 20 of service records of home health agencies.
- 21 (4) Govern the procedure for issuing, renewing, denying, or
- 22 revoking an annual license to a home health agency, including the
- 23 following:
- 24 (A) The form and content of the license.
- 25 (B) The collection of an annual license fee of not more than

- 1 two hundred **fifty** dollars (~~\$200~~) (**\$250**) that the state  
 2 department may waive.
- 3 (5) Exempt persons who do not provide home health services  
 4 under this chapter."
- 5 Page 9, between lines 33 and 34, begin a new line block indented  
 6 and insert:  
 7 **"(5) Assisted living Medicaid waiver services.**  
 8 **(6) Services that are performed by a facility described in**  
 9 **IC 12-10-15."**
- 10 Page 9, line 40, delete "two (2)" and insert "**three (3)**".
- 11 Page 9, line 41, delete "six (6) clients" and insert "**seven (7)**  
 12 **individuals**".
- 13 Page 10, line 36, delete "nonrefundable fee established by" and  
 14 insert "**fee of two hundred fifty dollars (\$250)**".
- 15 Page 10, line 36, delete "the state department".
- 16 Page 10, delete line 42 and insert "**a license to the applicant to**  
 17 **operate a personal services agency. The state department may**  
 18 **conduct an onsite inspection in conjunction with the issuance of an**  
 19 **initial license or the renewal of a license.**".
- 20 Page 11, delete lines 1 through 23.
- 21 Page 11, line 24, delete "(h)" and insert "(f)".
- 22 Page 11, line 24, delete "of the application for" and insert "**of:**  
 23 **(1) an application for licensure;**  
 24 **(2) an application for renewal of licensure;**  
 25 **(3) a complaint alleging noncompliance with the requirements**  
 26 **of this chapter; or**  
 27 **(4) an investigation conducted under section 7(a) of this**  
 28 **chapter;**".
- 29 Page 11, between lines 29 and 30, begin a new paragraph and insert:  
 30 **"(g) Subject to subsection (f), when conducting an onsite**  
 31 **inspection the state department must receive all documents**  
 32 **necessary to determine the personal service agency's compliance**  
 33 **with the requirements of this chapter. A personal services agency**  
 34 **must produce documents requested by the state department**  
 35 **surveyor not less than twenty-four (24) hours after the documents**  
 36 **have been requested."**
- 37 Page 11, line 30, delete "(i)" and insert "**(h)**".
- 38 Page 11, line 30, delete "three (3) years" and insert "**one (1) year**".
- 39 Page 11, line 31, delete "temporary".
- 40 Page 11, line 33, delete "three (3) years" and insert "**one (1) year**".
- 41 Page 11, line 36, delete "(j)" and insert "**(i)**".
- 42 Page 11, delete line 42, begin a new paragraph and insert:  
 43 **"(j) A home health agency licensed under IC 16-27-1 that**  
 44 **operates a personal services agency within the home health agency**  
 45 **is subject to the requirements of this chapter. The requirements**  
 46 **under IC 16-27-1 do not apply to a home health agency's personal**

1 services agency. The requirements under this chapter do not apply  
 2 to a home health agency's operations. A home health agency that  
 3 is licensed under IC 16-27-1 is not required to obtain a license  
 4 under this chapter."

5 Page 12, delete lines 1 through 5.

6 Page 12, line 6, delete (l) and insert "(k)".

7 Page 13, line 9, after "plan." insert "The service plan must be  
 8 signed and dated by the client not later than fourteen (14) days  
 9 after services begin for the client and not later than fourteen (14)  
 10 days after any permanent change to the service plan."

11 Page 14, between lines 12 and 13, begin a new line block indented  
 12 and insert:

13 "(12) That the state department does not inspect personal  
 14 service agencies as the part of the licensing process but does  
 15 investigate complaints concerning personal service agencies."

16 Page 14, line 13, delete "(12)" and insert "(13)".

17 Page 14, line 29, delete "licenced" and insert "licensed".

18 Page 14, line 39, delete "evaluation" and insert "evaluation,".

19 Page 16, line 16, delete "for issuing," and insert "for the following:  
 20 (1) Issuing".

21 Page 16, between lines 17 and 18, begin a new line block indented  
 22 and insert:

23 "(2) Investigating a complaint against a personal services  
 24 agency that alleges a violation of this chapter.

25 "(3) Collecting fees required under this chapter."

26 Page 20, line 16, delete "[EFFECTIVE JULY 1, 2005]:".

27 Page 20, line 17, delete "REPEALED." and insert "REPEALED  
 28 [EFFECTIVE JULY 1, 2005]."

29 Renumber all SECTIONS consecutively.

(Reference is to HB 1750 as printed February 22, 2005.)

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Representative Welch