



February 9, 2007

HOUSE BILL No. 1457

DIGEST OF HB 1457 (Updated February 8, 2007 9:42 am - DI 77)

Citations Affected: IC 16-38; noncode.

Synopsis: Birth problems registry. Continues the birth problems registry by repealing a provision that abolishes the registry as of July 1, 2007. Establishes the prenatal substance abuse commission to develop a plan to improve early intervention and treatment for pregnant women who abuse alcohol or drug or use tobacco. (The introduced version of this bill was prepared by the interim study committee on children's issues.)

Effective: June 30, 2007; July 1, 2007.

Klinker, Walorski, Thompson, Day

January 23, 2007, read first time and referred to Committee on Public Health.
February 8, 2007, amended, reported — Do Pass.

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February 9, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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HOUSE BILL No. 1457

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning health.

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

- 1 SECTION 1. IC 16-38-4-19 IS REPEALED [EFFECTIVE JUNE 30,
2 2007].
- 3 SECTION 2. [EFFECTIVE JULY 1, 2007] (a) **As used in this**
4 **SECTION, "commission" refers to the prenatal substance abuse**
5 **commission established by subsection (b).**
- 6 (b) **The prenatal substance abuse commission is established to**
7 **develop and recommend a coordinated plan to improve early**
8 **intervention and treatment for pregnant women who abuse alcohol**
9 **or drugs or use tobacco.**
- 10 (c) **The commission consists of the following members:**
- 11 (1) **The state health commissioner or the commissioner's**
12 **designee.**
- 13 (2) **The director of the division of mental health and addiction**
14 **or the director's designee.**
- 15 (3) **The director of the office of Medicaid policy and planning**
16 **or the director's designee.**
- 17 (4) **The director of the department of child services or the**

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- 1 director's designee.
- 2 (5) One (1) physician specializing in addiction treatment of
- 3 pregnant women.
- 4 (6) One (1) physician specializing in the care of pregnant
- 5 women.
- 6 (7) One (1) social worker certified in the treatment of alcohol,
- 7 tobacco, and other drug abuse.
- 8 (8) One (1) woman who has received treatment for alcohol,
- 9 tobacco, or other drug abuse during pregnancy.
- 10 (9) One (1) advocate recommended by the March of Dimes,
- 11 Indiana Chapter.
- 12 (10) One (1) prosecuting attorney or a deputy prosecuting
- 13 attorney who practices in a drug court established under
- 14 IC 12-23-14.5.
- 15 (11) One (1) judge of a drug court established under
- 16 IC 12-23-14.5.
- 17 (12) Two (2) members of the house of representatives. The
- 18 members appointed under this subdivision may not be
- 19 members of the same political party.
- 20 (13) Two (2) members of the senate. The members appointed
- 21 under this subdivision may not be members of the same
- 22 political party.
- 23 The speaker of the house of representatives shall appoint the
- 24 members under subdivisions (5), (7), (9), (10), and (12) not later
- 25 than August 15, 2007. The president pro tempore of the senate
- 26 shall appoint the members under subdivisions (6), (8), (11), and
- 27 (13) not later than August 15, 2007. Vacancies shall be filled by the
- 28 appointing authority for the remainder of the unexpired term.
- 29 (d) A majority of the members of the commission constitutes a
- 30 quorum.
- 31 (e) The state department of health shall provide staff and
- 32 administrative support for the commission.
- 33 (f) The state health commissioner or the commissioner's
- 34 designee shall convene the first meeting of the commission before
- 35 October 15, 2007. The commission shall elect a member of the
- 36 commission to serve as chairperson of the commission. The
- 37 commission shall meet at the call of the chairperson and shall meet
- 38 as often as necessary to carry out the purpose of this SECTION.
- 39 However, the commission shall meet not less than quarterly.
- 40 (g) Members of the commission are not entitled to a salary per
- 41 diem or reimbursement of expenses for service on the commission.
- 42 (h) The affirmative votes of a majority of the commission's

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1 members are required for the commission to take action on any
2 measure.
3 (i) The commission shall submit reports to the governor and the
4 legislative council as follows:
5 (1) Not later than August 15, 2008, an interim report that
6 contains any interim findings and recommendations of the
7 commission.
8 (2) Not later than August 15, 2009, a final report that contains
9 the findings and recommendations of the commission and an
10 implementation plan to improve early intervention and
11 treatment for pregnant women who abuse alcohol or drugs or
12 use tobacco.
13 The reports required under this subsection must be submitted in
14 an electronic format under IC 5-14-6.
15 (j) This SECTION expires December 31, 2009.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1457, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, after line 2, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2007] (a) **As used in this SECTION, "commission" refers to the prenatal substance abuse commission established by subsection (b).**

(b) The prenatal substance abuse commission is established to develop and recommend a coordinated plan to improve early intervention and treatment for pregnant women who abuse alcohol or drugs or use tobacco.

(c) The commission consists of the following members:

- (1) The state health commissioner or the commissioner's designee.**
- (2) The director of the division of mental health and addiction or the director's designee.**
- (3) The director of the office of Medicaid policy and planning or the director's designee.**
- (4) The director of the department of child services or the director's designee.**
- (5) One (1) physician specializing in addiction treatment of pregnant women.**
- (6) One (1) physician specializing in the care of pregnant women.**
- (7) One (1) social worker certified in the treatment of alcohol, tobacco, and other drug abuse.**
- (8) One (1) woman who has received treatment for alcohol, tobacco, or other drug abuse during pregnancy.**
- (9) One (1) advocate recommended by the March of Dimes, Indiana Chapter.**
- (10) One (1) prosecuting attorney or a deputy prosecuting attorney who practices in a drug court established under IC 12-23-14.5.**
- (11) One (1) judge of a drug court established under IC 12-23-14.5.**
- (12) Two (2) members of the house of representatives. The members appointed under this subdivision may not be members of the same political party.**
- (13) Two (2) members of the senate. The members appointed under this subdivision may not be members of the same**

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political party.

The speaker of the house of representatives shall appoint the members under subdivisions (5), (7), (9), (10), and (12) not later than August 15, 2007. The president pro tempore of the senate shall appoint the members under subdivisions (6), (8), (11), and (13) not later than August 15, 2007. Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

(d) A majority of the members of the commission constitutes a quorum.

(e) The state department of health shall provide staff and administrative support for the commission.

(f) The state health commissioner or the commissioner's designee shall convene the first meeting of the commission before October 15, 2007. The commission shall elect a member of the commission to serve as chairperson of the commission. The commission shall meet at the call of the chairperson and shall meet as often as necessary to carry out the purpose of this SECTION. However, the commission shall meet not less than quarterly.

(g) Members of the commission are not entitled to a salary per diem or reimbursement of expenses for service on the commission.

(h) The affirmative votes of a majority of the commission's members are required for the commission to take action on any measure.

(i) The commission shall submit reports to the governor and the legislative council as follows:

- (1) Not later than August 15, 2008, an interim report that contains any interim findings and recommendations of the commission.
- (2) Not later than August 15, 2009, a final report that contains the findings and recommendations of the commission and an implementation plan to improve early intervention and treatment for pregnant women who abuse alcohol or drugs or use tobacco.

The reports required under this subsection must be submitted in an electronic format under IC 5-14-6.

(j) This SECTION expires December 31, 2009."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1457 as introduced.)

BROWN C, Chair

Committee Vote: yeas 9, nays 0.

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