

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1457**

Citations Affected: IC 16-18-2-160.5; IC 16-38-4-19; IC 16-41-42; IC 25-1-7-1.

Synopsis: Birth problems registry and registration of certain mobile health entities. Conference committee report for EHB 1457. Requires the state department of health to issue registrations and maintain a registry for out-of-state mobile health care entities. Requires out-of-state mobile health care entities to register with the state department before doing business in Indiana. Extends the birth problems registry until July 1, 2017. (Under current law the registry expires on 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 drugs or use tobacco. (The introduced version of this bill was prepared by the interim study committee on children's issues.) **(This conference committee report: (1) adds a requirement that each health care entity's name, address, and telephone number and the name of any company that is affiliated with the health care entity is required for registration; (2) adds provisions that specify that out-of-state mobile health care entities are not exempt from health care service regulations; and (3) resolves a technical conflict with SEA 506.)**

Effective: Upon passage; July 1, 2007.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1457 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
2 SECTION 1. IC 16-18-2-160.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2007]: **Sec. 160.5. "Health care entity", for**
5 **purposes of IC 16-41-42, has the meaning set forth in**
6 **IC 16-41-42-1.**
- 7 SECTION 2. IC 16-38-4-19 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) ~~During the~~
9 ~~year 2006, a committee of the general assembly shall review the need~~
10 ~~to continue the registry. The committee shall submit its~~
11 ~~recommendations in an electronic format under IC 5-14-6 to the~~
12 ~~general assembly before December 31, 2006.~~
13 (b) The registry is abolished July 1, ~~2007~~: **2017.**
- 14 SECTION 3. IC 16-41-42 IS ADDED TO THE INDIANA CODE
15 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2007]:
17 **Chapter 42. Registration of Out-of-State Mobile Health Care**
18 **Entities**
19 **Sec. 1. As used in this chapter, "health care entity" means an**
20 **entity that:**
21 **(1) is registered or licensed as a health care entity under the**
22 **laws of another state, a foreign country, or a province in a**

1 foreign country; and
 2 (2) provides health care services, including the performance
 3 of health care tests, in a mobile facility or temporary location
 4 for a short period of time.

5 Sec. 2. The state department shall maintain a registry of health
 6 care entities that apply for and meet the registration requirements
 7 under this chapter.

8 Sec. 3. The registry must include the information required
 9 under section 5(6) of this chapter for each registered health care
 10 entity and the date that the health care entity registered with the
 11 state department under this chapter.

12 Sec. 4. The state department shall issue a certificate of
 13 registration to a health care entity that applies for registration and
 14 meets the requirements of this chapter.

15 Sec. 5. A health care entity applying for registration under this
 16 chapter shall disclose the following:

17 (1) The types of health care services that the health care entity
 18 will provide in Indiana.

19 (2) The names of any employees who are currently in good
 20 standing licensed, certified, or registered in a health care
 21 profession in:

22 (A) Indiana; or

23 (B) any other state;

24 and a copy of the employee's license, certification, or
 25 registration.

26 (3) Any health care services that are to be provided under a
 27 contract between the health care entity and a person that is
 28 licensed, certified, or registered in Indiana to provide health
 29 care services.

30 (4) The types of:

31 (A) health care services;

32 (B) health care tests; and

33 (C) equipment;

34 that the health care entity will perform or use.

35 (5) The manner in which test results and recommendations
 36 for health care based on the results are disclosed to the
 37 patient.

38 (6) The health care entity's name, address, and telephone
 39 number and the name of any company that is affiliated with
 40 the health care entity.

41 Sec. 6. A registered health care entity shall display the entity's
 42 certificate of registration in a conspicuous place in sight of a
 43 consumer of the health care entity.

44 Sec. 7. A certificate of registration expires one (1) calendar year
 45 after its issuance.

46 Sec. 8. A health care entity may not provide services in Indiana
 47 until the health care entity is registered under this chapter with the
 48 state department.

49 Sec. 9. Registration of a health care entity under this chapter
 50 does not exempt:

51 (1) a health care professional from the licensure, certification,

1 **and registration requirements of IC 25; or**
 2 **(2) a health care service from the regulation requirements of**
 3 **IC 16 or IC 25.**

4 **Sec. 10. The state department shall adopt rules under IC 4-22-2**
 5 **necessary to implement this chapter, including rules specifying**
 6 **registration renewal procedures.**

7 SECTION 4. IC 25-1-7-1, AS AMENDED BY SEA 506-2007,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2007]: Sec. 1. As used in this chapter:

10 "Board" means the appropriate agency listed in the definition of
 11 regulated occupation in this section.

12 "Director" refers to the director of the division of consumer
 13 protection.

14 "Division" refers to the division of consumer protection, office of
 15 the attorney general.

16 "Licensee" means a person who is:

17 (1) licensed, certified, or registered by a board listed in this
 18 section; and

19 (2) the subject of a complaint filed with the division.

20 "Person" means an individual, a partnership, a limited liability
 21 company, or a corporation.

22 "Regulated occupation" means an occupation in which a person is
 23 licensed, certified, or registered by one (1) of the following:

24 (1) Indiana board of accountancy (IC 25-2.1-2-1).

25 (2) Board of registration for architects, landscape architects, and
 26 registered interior designers (IC 25-4-1-2).

27 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

28 (4) State board of barber examiners (IC 25-7-5-1).

29 (5) State boxing commission (IC 25-9-1).

30 (6) Board of chiropractic examiners (IC 25-10-1).

31 (7) State board of cosmetology examiners (IC 25-8-3-1).

32 (8) State board of dentistry (IC 25-14-1).

33 (9) State board of funeral and cemetery service (IC 25-15-9).

34 (10) State board of registration for professional engineers
 35 (IC 25-31-1-3).

36 (11) Indiana state board of health facility administrators
 37 (IC 25-19-1).

38 (12) Medical licensing board of Indiana (IC 25-22.5-2).

39 (13) Indiana state board of nursing (IC 25-23-1).

40 (14) Indiana optometry board (IC 25-24).

41 (15) Indiana board of pharmacy (IC 25-26).

42 (16) Indiana plumbing commission (IC 25-28.5-1-3).

43 (17) Board of podiatric medicine (IC 25-29-2-1).

44 (18) Board of environmental health specialists (IC 25-32-1).

45 (19) State psychology board (IC 25-33).

46 (20) Speech-language pathology and audiology board
 47 (IC 25-35.6-2).

48 (21) Indiana real estate commission (IC 25-34.1-2).

49 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).

50 (23) Department of natural resources for purposes of licensing
 51 water well drillers under IC 25-39-3.

- 1 (24) Respiratory care committee (IC 25-34.5).
 2 (25) Private investigator and security guard licensing board
 3 (IC 25-30-1-5.2).
 4 (26) Occupational therapy committee (IC 25-23.5).
 5 (27) Social worker, marriage and family therapist, and mental
 6 health counselor board (IC 25-23.6).
 7 (28) Real estate appraiser licensure and certification board
 8 (IC 25-34.1-8).
 9 (29) State board of registration for land surveyors
 10 (IC 25-21.5-2-1).
 11 (30) Physician assistant committee (IC 25-27.5).
 12 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
 13 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 14 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 15 (34) Indiana physical therapy committee (IC 25-27).
 16 (35) Manufactured home installer licensing board (IC 25-23.7).
 17 (36) Home inspectors licensing board (IC 25-20.2-3-1).
 18 **(37) State department of health.**
 19 ~~(37)~~ **(38)** Any other occupational or professional agency created
 20 after June 30, 1981.
- 21 SECTION 5. [EFFECTIVE JULY 1, 2007] **(a) As used in this**
 22 **SECTION, "commission" refers to the prenatal substance abuse**
 23 **commission established by subsection (b).**
- 24 **(b) The prenatal substance abuse commission is established to**
 25 **develop and recommend a coordinated plan to improve early**
 26 **intervention and treatment for pregnant women who abuse alcohol**
 27 **or drugs or use tobacco.**
- 28 **(c) The commission consists of the following members:**
- 29 **(1) The state health commissioner or the commissioner's**
 30 **designee.**
- 31 **(2) The director of the division of mental health and addiction**
 32 **or the director's designee.**
- 33 **(3) The director of the office of Medicaid policy and planning**
 34 **or the director's designee.**
- 35 **(4) The director of the department of child services or the**
 36 **director's designee.**
- 37 **(5) One (1) physician specializing in addiction treatment of**
 38 **pregnant women.**
- 39 **(6) One (1) physician specializing in the care of pregnant**
 40 **women.**
- 41 **(7) One (1) social worker certified in the treatment of alcohol,**
 42 **tobacco, and other drug abuse.**
- 43 **(8) One (1) woman who has received treatment for alcohol,**
 44 **tobacco, or other drug abuse during pregnancy.**
- 45 **(9) One (1) advocate recommended by the March of Dimes,**
 46 **Indiana Chapter.**
- 47 **(10) One (1) prosecuting attorney or a deputy prosecuting**
 48 **attorney who practices in a drug court established under**
 49 **IC 12-23-14.5.**
- 50 **(11) One (1) judge of a drug court established under**
 51 **IC 12-23-14.5.**

1 (12) Two (2) members of the house of representatives. The
 2 members appointed under this subdivision may not be
 3 members of the same political party.

4 (13) Two (2) members of the senate. The members appointed
 5 under this subdivision may not be members of the same
 6 political party.

7 (14) An advanced practice nurse who has a collaborative
 8 agreement with a physician who specializes in addiction
 9 treatment for pregnant women or the care of pregnant
 10 women.

11 The speaker of the house of representatives shall appoint the
 12 members under subdivisions (5), (7), (9), (10), and (12) not later
 13 than August 15, 2007. The president pro tempore of the senate
 14 shall appoint the members under subdivisions (6), (8), (11), (13),
 15 and (14) not later than August 15, 2007. Vacancies shall be filled by
 16 the appointing authority for the remainder of the unexpired term.

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

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

21 (f) The state health commissioner or the commissioner's
 22 designee shall convene the first meeting of the commission before
 23 October 15, 2007. The commission shall elect a member of the
 24 commission to serve as chairperson of the commission. The
 25 commission shall meet at the call of the chairperson and shall meet
 26 as often as necessary to carry out the purpose of this SECTION.
 27 However, the commission shall meet at least quarterly.

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

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

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

35 (1) Not later than August 15, 2008, an interim report that
 36 contains any interim findings and recommendations of the
 37 commission.

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

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

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

46 SECTION 6. An emergency is declared for this act.

(Reference is to EHB 1457 as reprinted March 23, 2007.)

Conference Committee Report
on
Engrossed House Bill 1457

Signed by:

Representative Klinker
Chairperson

Senator Lawson C

Representative Thompson

Senator Rogers

House Conferees

Senate Conferees