

Adopted	Rejected
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## COMMITTEE REPORT

YES: 13  
NO: 6

### MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 350, 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:*

- 1 Page 4, line 41, delete "The" and insert "**Except as provided in**
- 2 **subsection (h), the**".
- 3 Page 4, line 41, after "pay" insert "**to the division of mental health**
- 4 **and addiction the part of**".
- 5 Page 4, line 41, delete "in the amount".
- 6 Page 4, line 42, delete "to the division of mental health and
- 7 addiction." and insert "**that is appropriated solely for funding the**
- 8 **operations of a community health center**".
- 9 Page 5, line 1, after "section" insert "**for operations of a**
- 10 **community health center**".
- 11 Page 5, between lines 7 and 8, begin a new line blocked left and
- 12 insert:
- 13 "**All other funding appropriated for the purposes allowed under**
- 14 **section 1.2(b)(1) of this chapter shall be paid by the county directly**
- 15 **to the community mental health center semiannually at the times**

1 **that the payments are made under subsection (e)."**

2 Page 5, line 8, after "funds" insert "**for operations**".

3 Page 5, between lines 37 and 38, begin a new paragraph and insert:

4 **"(h) The health and hospital corporation of Marion County**  
 5 **created by IC 16-22-8-6 may make payments to the division for the**  
 6 **operation of a community mental health center as described in this**  
 7 **chapter.**

8 SECTION 4. IC 12-29-2-2.5 IS ADDED TO THE INDIANA CODE  
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 10 1, 2008]: **Sec. 2.5. (a) As used in this section, "mental health**  
 11 **transformation pilot project" refers to a project that is funded**  
 12 **from sources that are not used to fund the community mental**  
 13 **health system as of July 1, 2008.**

14 **(b) The division shall do the following:**

15 **(1) Determine the total funding amount provided to each**  
 16 **community mental health center for the 2006-2007 state fiscal**  
 17 **year, including specifying the sources of the funding provided**  
 18 **to the community mental health center.**

19 **(2) Determine the percentage of total funding provided to**  
 20 **each community mental health center from the total amount**  
 21 **of funding the division provided.**

22 **(3) Ensure that each community mental health center receives**  
 23 **the same funding distribution percentage calculated in**  
 24 **subdivision (2) in subsequent fiscal years based upon the total**  
 25 **amount of funding available to community mental health**  
 26 **centers.**

27 **(4) Provide notice to a community mental health center,**  
 28 **before the beginning of a state fiscal year, of the total amount**  
 29 **of funding available to the community mental health center**  
 30 **for use as eligible nonfederal funds under the community**  
 31 **mental health rehabilitation services program. The eligible**  
 32 **nonfederal share must be specifically identified as follows:**

33 **(A) State match eligible dollars.**

34 **(B) Dedicated state dollars.**

35 **(C) Federal grant dollars.**

36 **(D) Performance based funding dollars.**

37 **(c) If the division determines that additional funds are available**  
 38 **to community mental health centers as part of a mental health**

1 transformation pilot project administered by the office of the  
 2 secretary, the additional available funds may not be included as  
 3 part of the allocation percentage determined in subsection (b)(2).".

4 Page 6, line 30, after "for" insert "operations of".

5 Page 6, line 33, delete "monies are" and insert "money is  
 6 appropriated by a county for purposes allowed under section  
 7 1.2(b)(1) of this chapter or is".

8 Page 7, after line 19, begin a new paragraph and insert:

9 "SECTION 8. IC 12-29-4 IS ADDED TO THE INDIANA CODE  
 10 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 11 UPON PASSAGE]:

12 **Chapter 4. SEA 350-2008 Moratorium**

13 **Sec. 1. As used in this chapter, "restricted rules" means the**  
 14 **rules that the United States Secretary of Health and Human**  
 15 **Services is restricted from implementing under the congressional**  
 16 **moratorium enacted as part of H.R. 2206 (Iraq War Supplement;**  
 17 **May 25, 2007), including the following:**

18 (1) The proposed rule published on January 18, 2007, in  
 19 volume 72 of the Federal Register (relating to 42 CFR, parts  
 20 433, 447, and 457).

21 (2) The final form of the proposed rule described in  
 22 subdivision (1) as published in volume 72 of the Federal  
 23 Register on May 29, 2007.

24 **Sec. 2. Notwithstanding any other law, the additions and**  
 25 **amendments to the Indiana Code set forth in SEA 350-2008 are**  
 26 **applicable only to the extent that:**

27 (1) the congressional moratorium on the implementation of  
 28 the restricted rules by the United States Secretary of Health  
 29 and Human Services is not extended; and

30 (2) the restricted rules are implemented.

31 SECTION 9. [EFFECTIVE UPON PASSAGE] (a) As used in this  
 32 SECTION, "secretary" refers to the secretary of family and social  
 33 services appointed under IC 12-8-1-2.

34 (b) This SECTION applies to money appropriated to  
 35 community mental health centers from:

36 (1) the state general fund; and

37 (2) the tobacco master settlement agreement fund;

38 by P.L.234-2007, SECTION 8.

1           (c) Notwithstanding P.L.234-2007, SECTION 8, the office of the  
2 secretary and the budget agency shall allocate the amount  
3 appropriated to community mental health centers for the  
4 2008-2009 state fiscal year in the manner required by subsection  
5 (d).

6           (d) The office of the secretary and the budget agency shall  
7 allocate the amount appropriated to community mental health  
8 centers for the 2008-2009 state fiscal year using the same allocation  
9 formula used under the Hoosier assurance program for  
10 distributions made in the 2007-2008 state fiscal year.

11           (e) The authority of:

12               (1) the office of the secretary to determine an allocation  
13 formula for the appropriations described in subsection (b);  
14 and

15               (2) the budget agency to approve the allocation formula  
16 determined by the office of the secretary;

17 granted by P.L.234-2007, SECTION 8 is voided by this SECTION.

18           (f) This SECTION expires July 1, 2009.

19 SECTION 10. An emergency is declared for this act."

20 Renumber all SECTIONS consecutively.

(Reference is to SB 350 as reprinted January 29, 2008.)

**and when so amended that said bill do pass.**

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Representative Crawford