

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 157, 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:

- 1 Page 1, line 6, delete "C.F.R." and insert "**CFR Part**".
- 2 Page 1, delete lines 8 through 17.
- 3 Page 2, line 5, after "program" insert "**is specifically approved and**
- 4 **the opiate treatment facility**".
- 5 Page 2, delete lines 6 through 7.
- 6 Page 2, line 9, delete "(3)" and insert "**(2)**".
- 7 Page 2, line 11, after "Separate" insert "**specific approval and**".
- 8 Page 3, line 10, strike "of:" and insert "**that is:**".
- 9 Page 3, line 11, strike "twenty dollars (\$20) for each".
- 10 Page 3, line 11, delete "resident; and".
- 11 Page 3, line 12, delete "(2) three hundred dollars (\$300) for each".
- 12 Page 3, line 12, strike "nonresident;".
- 13 Page 3, line 13, delete "of Indiana" and insert "**an amount**
- 14 **established by the division by rule under IC 4-22-2;**
- 15 **(2) not more than necessary to recover the costs of**
- 16 **administering this chapter; and**
- 17 **(3) not more than seventy-five dollars (\$75) for each opioid**
- 18 **treatment program patient.**".
- 19 Page 3, run in lines 11 through 13.
- 20 Page 3, line 20, strike "diversion".
- 21 Page 3, line 21, strike "control and oversight".

1 Page 3, line 22, strike "diversion control and".

2 Page 3, line 23, strike "oversight".

3 Page 4, between lines 5 and 6, begin a new line double block
4 indented and insert:

5 **"(D) Clinical standards for the appropriate tapering of a**
6 **patient on and off of an opioid treatment medication."**

7 Page 4, line 6, after "(2)" insert **"A requirement that, not later**
8 **than February 28 of each year, a current diversion control plan**
9 **that meets the requirements of 21 CFR Part 291 and 42 CFR Part**
10 **8 be submitted for each opioid treatment facility.**

11 **(3)".**

12 Page 4, line 7, delete "chapter." and insert **"chapter as described in**
13 **section 3 of this chapter."**

14 Page 4, line 38, after "IC 5-14-6" insert **", the state department of**
15 **health,".**

16 Page 5, delete lines 8 through 11.

17 Page 5, line 12, delete "(7)" and insert **"(5)".**

18 Page 5, line 12, delete "rehabilitated" and insert **"determined to be**
19 **no longer in need of services".**

20 Page 5, line 14, delete "(8)" and insert **"(6)".**

21 Page 5, line 16, delete "(9)" and insert **"(7)".**

22 Page 5, between lines 17 and 18, begin a new line single block
23 indented and insert:

24 **"(8) Any other information that the division determines to be**
25 **relevant to the success of a quality opioid treatment**
26 **program."**

27 Page 5, line 23, after "program's" insert **"specific approval to**
28 **operate as an opioid treatment program or the opioid treatment**
29 **facility's".**

30 Page 5, delete lines 29 through 42, begin a new paragraph and
31 insert:

32 "SECTION 11. IC 12-23-18-5.8 IS ADDED TO THE INDIANA
33 CODE AS A NEW SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2008]: **Sec. 5.8. (a) The director of the**
35 **division may take any of the following actions based on any**
36 **grounds described in subsection (b):**

37 **(1) Issue a letter of correction.**

38 **(2) Reinspect the opioid treatment program facility.**

39 **(3) Deny renewal of, or revoke, any of the following:**

40 **(A) Specific approval to operate as an opioid treatment**
41 **program.**

42 **(B) Certification of the opioid treatment facility.**

- 1 **(4) Impose a civil penalty in an amount not to exceed ten**
- 2 **thousand dollars (\$10,000).**
- 3 **(b) The director of the division may take action under**
- 4 **subsection (a) based on any of the following grounds:**
- 5 **(1) Violation of this chapter or rules adopted under this**
- 6 **chapter.**
- 7 **(2) Permitting, aiding, or abetting the commission of any**
- 8 **illegal act in an opioid treatment program facility.**
- 9 **(3) Conduct or practice found by the director to be**
- 10 **detrimental to the welfare of an opioid treatment program**
- 11 **patient.**
- 12 **(c) IC 4-21.5 applies to an action under this section."**
- 13 Delete pages 6 through 8.
- 14 Renumber all SECTIONS consecutively.
- (Reference is to SB 157 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 11, Nays 0.

Senator Miller, Chairperson