

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	0

### MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1536, 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 1, line 2, delete "JULY" and insert "JANUARY 1, 2010]:".
- 2 Page 1, line 3, delete "1, 2009]:".
- 3 Page 1, line 7, after "facility;" insert "**or**".
- 4 Page 1, line 8, after "facility;" insert "**and**".
- 5 Page 1, delete lines 9 through 10.
- 6 Page 1, line 12, after "federal" insert "**Medicaid**".
- 7 Page 1, line 14, delete "office" and insert "**division of family**
- 8 **resources, upon notice that a child has been adjudicated to be a**
- 9 **delinquent child and placed in a facility described in subsection**
- 10 **(a)(2),"**.
- 11 Page 1, line 15, delete "instead of" and insert "**for up to six (6)**
- 12 **months before**".
- 13 Page 1, line 16, delete "Before a child is released from the
- 14 placement described in" and insert "**If the division of family**

1 resources receives:  
 2 (1) a dispositional decree under IC 31-37-19-28; or  
 3 (2) a modified disposition order under IC 31-37-22-9;  
 4 and the department of correction gives the division at least forty  
 5 (40) days notice that a child will be released from a facility  
 6 described in subsection (a)(2)(C), the division of family resources  
 7 shall take action necessary to ensure that a child described in  
 8 subsection (a) is eligible to participate in the Medicaid program  
 9 upon the child's release, if the child is eligible to participate.".

10 Page 1, delete line 17.

11 Page 2, delete lines 1 through 4, begin a new paragraph and insert:

12 "SECTION 2. IC 31-37-17-1, AS AMENDED BY P.L.146-2008,  
 13 SECTION 637, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) Upon finding that a child is  
 15 a delinquent child, the juvenile court shall order a probation officer to  
 16 prepare a predispositional report that contains:

17 (1) a statement of the needs of the child for care, treatment,  
 18 rehabilitation, or placement;

19 (2) a recommendation for the care, treatment, rehabilitation, or  
 20 placement of the child;

21 (3) if the recommendation includes:

22 (A) an out-of-home placement other than a secure detention  
 23 facility; or

24 (B) services payable by the department under IC 31-40-1-2;  
 25 information that the department requires to determine whether the  
 26 child is eligible for assistance under Title IV-E of the federal  
 27 Social Security Act (42 U.S.C. 670 et seq.); and

28 (4) a statement of the department's concurrence with or its  
 29 alternative proposal to the probation officer's predispositional  
 30 report, as provided in section 1.4 of this chapter; and

31 **(5) a statement of whether the child receives Medicaid.**

32 (b) Any of the following may prepare an alternative report for  
 33 consideration by the court:

34 (1) The child.

35 (2) The child's:

36 (A) parent;

37 (B) guardian;

38 (C) guardian ad litem;

- 1 (D) court appointed special advocate; or
- 2 (E) custodian.

3 SECTION 3. IC 31-37-19-28 IS ADDED TO THE INDIANA  
 4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2009]: **Sec. 28. (a) This section applies if a**  
 6 **predispositional report indicates that a child receives Medicaid and**  
 7 **a court places the child in:**

- 8 (1) a juvenile detention facility; or
- 9 (2) a secure facility.

10 (b) **The court shall immediately provide a copy of the**  
 11 **dispositional decree to the division of family resources.**

12 SECTION 4. IC 31-37-22-9 IS ADDED TO THE INDIANA CODE  
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 14 1, 2009]: **Sec. 9. If:**

- 15 (1) a juvenile court modifies its disposition order under this
- 16 chapter;
- 17 (2) the child named in the order received Medicaid before
- 18 disposition as indicated by the predispositional report; and
- 19 (3) the juvenile court previously placed or intends to place the
- 20 child in:

- 21 (A) a juvenile detention facility; or
- 22 (B) a secure facility;

23 **the court shall immediately provide a copy of the modified**  
 24 **dispositional decree to the division of family resources."**

25 Page 2, line 9, delete "for any amendment to the state" and insert "**to**  
 26 **amend the state Medicaid plan if the office determines the**  
 27 **amendment is necessary to carry out IC 12-15-1-20, as added by**

- 1       **this act."**
- 2       Page 2, delete lines 10 through 11.
- 3       Reorder all SECTIONS consecutively.  
      (Reference is to HB 1536 as introduced.)

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

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Representative Lawson L