
HOUSE BILL No. 1536

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15-1-20.

Synopsis: Suspension of Medicaid for delinquent children. Requires the office of Medicaid policy and planning to suspend rather than terminate a child's Medicaid eligibility if the child has been adjudicated to be a delinquent child and has been placed in specified facilities. Requires the individual, for-profit or nonprofit entity, or governmental entity operating the facility in which the child is placed to take action necessary to ensure the child is eligible for Medicaid when the child is released from the facility.

Effective: Upon passage; July 1, 2009.

Pryor

January 16, 2009, read first time and referred to Committee on Judiciary.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1536



A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

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

1 SECTION 1. IC 12-15-1-20 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 20. (a) If a Medicaid recipient is:**
4 (1) **less than eighteen (18) years of age;**
5 (2) **adjudicated to be a delinquent child and placed in:**
6 (A) **a community based correctional facility for children;**
7 (B) **a juvenile detention facility;**
8 (C) **a secure facility;**
9 (D) **a secure private facility; or**
10 (E) **a shelter care facility; and**
11 (3) **ineligible to participate in the Medicaid program during**
12 **the placement described in subdivision (2) because of federal**
13 **law;**
14 **the office shall suspend the child's participation in the Medicaid**
15 **program instead of terminating the child's eligibility.**
16 (b) **Before a child is released from the placement described in**
17 **subsection (a)(2), the individual, for-profit or nonprofit entity, or**



1 government entity operating the facility described in subsection
2 (a)(2) shall take action necessary to ensure that the child is eligible
3 to participate in the Medicaid program upon the child's release, if
4 the child is eligible to participate.

5 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
6 SECTION, "office" refers to the office of Medicaid policy and
7 planning established by IC 12-8-6-1.

8 (b) The office shall apply to the United States Department of
9 Health and Human Services for any amendment to the state
10 Medicaid plan needed to implement IC 12-15-1-20, as added by this
11 act.

12 (c) The office may not implement a state plan amendment under
13 this SECTION until the office files an affidavit with the governor
14 attesting that the plan amendment filed under this SECTION is in
15 effect. The office shall file the affidavit under this subsection not
16 later than five (5) days after the office is notified that the plan
17 amendment is approved.

18 (d) If the office receives a plan amendment under this SECTION
19 from the United States Department of Health and Human Services
20 and the governor receives the affidavit filed under subsection (c),
21 the office shall implement the plan amendment not more than sixty
22 (60) days after the governor receives the affidavit.

23 (e) This SECTION expires December 31, 2013.

24 SECTION 3. An emergency is declared for this act.

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