

ISRC

Bill Track

Run Time: Friday, Jan-25-2013, 10:21 AM

HB1055 *Emergency rulemaking statute.* ([McMillin](#), [M. Young](#), [Zakas](#))

Digest

Removes from the statute providing the procedure by which Indiana administrative agencies may adopt emergency rules (emergency rules statute) a list enumerating the statutes that convey emergency rulemaking authority, and codifies in substantive administrative law emergency rulemaking authority that is currently codified only in this list. Relocates exceptions and conditions applicable only to certain emergency rules from the emergency rules statute to the statute establishing the authority for adoption of the emergency rule to which the exception or condition applies. Provides that the publisher of the Indiana administrative code shall annually publish a list of agencies authorized to adopt rules under the emergency rules statute. Makes other technical corrections. (The introduced version of this bill was prepared by the code revision commission.)

Date	Action
01/07/2013	H: Author Added Jud McMillin
01/07/2013	H: Co Author Added John Bartlett
01/07/2013	H: Co Author Added Clyde Kersey
01/07/2013	H: 1st Reading Assigned Government and Regulatory Reform
01/15/2013	H: Committee Sched 10:30 AM Room 156-A Government and Regulatory Reform
01/15/2013	H: Committee Report do pass, adopted
01/15/2013	H: Committee Action Pass(13-0) Government and Regulatory Reform
01/22/2013	H: Co Author Added Tim Wesco
01/22/2013	H: 3rd Reading Pass (96-0)
01/22/2013	H: Referred Referred to the Senate
01/22/2013	H: Sponsor Added R. Michael Young
01/22/2013	H: Sponsor Added Joseph C. Zakas

HB1128 *Removal of bars and taverns from smoking ban exemption.* ([C. Brown](#))

Digest

Removes the exemption for bars and taverns from the smoking prohibition law.

Date	Action
01/08/2013	H: Author Added Charlie Brown
01/08/2013	H: Co Author Added P. Eric Turner
01/08/2013	H: 1st Reading Assigned Public Policy

HB1225 *Sale of electronic cigarettes to minors.* ([Lehman](#))

Digest

Prohibits the sale or delivery of electronic cigarettes to individuals less than 18 years of age. Makes it a Class C infraction for an individual less than 18 years of age to purchase, accept for personal use, or possess an

electronic cigarette. Regulates display and use of electronic cigarettes in vending machines. Makes other changes concerning the use of electronic cigarettes.

<u>Date</u>	<u>Action</u>
01/14/2013	H: Author Added Matthew Lehman
01/14/2013	H: 1st Reading Assigned Public Policy
01/23/2013	H: Committee Sched 8:30 AM Room 156-B Public Policy
01/23/2013	H: Committee Action Pass Amend(13-0) Public Policy
01/24/2013	H: Co Author Added Phil GiaQuinta

HB1266 Tobacco use by prospective health care employee. ([Mahan](#))

Digest

Allows certain health care employers to base an employment decision on the prospective employee's tobacco use.

<u>Date</u>	<u>Action</u>
01/23/2013	H: Author Added Kevin Mahan
01/23/2013	H: Co Author Added Charlie Brown
01/23/2013	H: Co Author Added Rebecca Kubacki
01/23/2013	H: Co Author Added Dennis Zent
01/23/2013	H: 1st Reading Assigned Employment, Labor and Pensions
01/23/2013	H: Author Kevin Mahan
01/23/2013	H: Author Rebecca Kubacki
01/23/2013	H: Author Dennis Zent

HB1319 Health benefit exchange provisions. ([Lehman](#))

Digest

Provides for implementation of the federal Patient Protection and Affordable Care Act with respect to a health benefit exchange in Indiana. Specifies requirements for health plans issued through a health benefit exchange. Requires a navigator or an assister to be certified or registered before providing services with respect to a health benefit exchange. Provides for dissolution of the Indiana comprehensive health insurance association.

<u>Date</u>	<u>Action</u>
01/17/2013	H: Author Added Matthew Lehman
01/17/2013	H: 1st Reading Assigned Insurance
01/23/2013	H: Committee Sched 10:30 AM Room 156-B Insurance
01/24/2013	H: Committee Report amend do pass, adopted
01/24/2013	H: Referred Referred to Ways and Means

HB1376 Various privacy issues. ([Koch](#))

Digest

Makes the following changes to the statute concerning telephone caller identification services: (1) Repeals the definition of "telecommunications service provider". (2) Adds the definition of "provider". In the statutes concerning: (1) telephone caller identification services; and (2) telephone solicitations; replaces the term "caller ID" with the term "caller identification", as used in the federal Caller ID Act of 2009. Provides that a person shall not knowingly and with the intent to defraud, cause harm, or wrongfully obtain anything of value, cause any caller

identification service to transmit misleading or inaccurate caller identification information to a subscriber in Indiana. Exempts certain activities from the prohibition. Provides that a violation of the prohibition is: (1) a Class B misdemeanor; and (2) a deceptive act actionable by the attorney general. Provides that a subsequent violation is a Class A misdemeanor. Provides a cause of action for: (1) damages; and (2) injunctive relief; for any person aggrieved by a violation. Prohibits the professional licensing agency (PLA) or a board administered by the PLA from disclosing to the public personal information of an individual who: (1) applies for or holds a license, certificate, registration, or permit issued by a board; or (2) is a member of a board administered by the PLA; subject to certain exceptions specified by law. Prohibits the use of unmanned aerial vehicles or tracking devices to conduct warrantless searches, with certain exceptions. Establishes additional requirements that must be met in order for a search warrant authorizing the use of a tracking device to be issued. Provides that, except for a law enforcement officer acting under a warrant and certain other persons under certain circumstances, a person who uses a tracking device without the consent of the person who is the object of the use commits a Class D felony.

Date	Action	
01/22/2013	H: Author	Added Eric Koch
01/22/2013	H: 1st Reading	Assigned Judiciary
01/22/2013	H: Author	Eric Koch

HB1383 Licensing polysomnographic technologists. (Kirchhofer)

Digest

Establishes licensing requirements to practice polysomnography. Establishes the polysomnography standards committee under the medical licensing board. Provides that, beginning July 1, 2015, a person must have a license to practice polysomnography or use certain titles. Provides that a person who uses certain titles or practices polysomnography without being licensed commits a Class B misdemeanor.

Date	Action	
01/22/2013	H: Author	Added Cindy Kirchhofer
01/22/2013	H: 1st Reading	Assigned Public Health

HB1461 Health care professionals conscience clause. (Davisson)

Digest

Provides that a health care professional may not be required to dispense a drug or medical device if the health care professional believes the drug or medical device would be used to: (1) cause an abortion; (2) destroy an unborn child; or (3) cause the death of a person by means of assisted suicide, euthanasia, or mercy killing. Specifies that a health care professional's refusal to dispense a drug or medical device under these circumstances may not be the basis for: (1) a claim for damages against the health care professional, the health care professional's employer, or the facility where the health care professional is employed; or (2) disciplinary, recriminatory, or discriminatory action against the health care professional. Provides that an employer who knowingly or intentionally takes disciplinary, recriminatory, or discriminatory action against a health care professional who refuses to dispense a drug or medical device under these circumstances commits health care professional discrimination, a Class A misdemeanor. Makes a second or subsequent offense a Class D felony. Authorizes the health care professional's licensing board to assess additional fines against the employer.

Date	Action	
01/23/2013	H: Author	Added Steve Davisson
01/23/2013	H: Co Author	Added Tim Wesco

01/23/2013 H: 1st Reading Assigned [Public Health](#)

01/23/2013 H: Author [Steve Davisson](#)

01/23/2013 H: Author [Tim Wesco](#)

SB0265 Health care provider peer review committees. ([Pat Miller](#))

Digest

Amends the definition of "professional health care provider" for purposes of the law concerning privileged communications of peer review committees.

Date	Action
01/08/2013	S: Author Added Patricia L. Miller
01/08/2013	S: 1st Reading Assigned Health and Provider Services
01/16/2013	S: Committee Sched 9:30 AM Room Senate Chamber Health and Provider Services
01/23/2013	S: Committee Sched 9:00 AM Room 431 Health and Provider Services
01/24/2013	S: Committee Report amend do pass, adopted

SB0417 Health provider reporting of domestic violence. ([Waltz](#))

Digest

Requires a health care provider to: (1) implement protocols and policies for the identification of domestic violence and to offer intervention and treatment services; and (2) report an incident of domestic violence to the local law enforcement agency. Specifies information to be included in the report. Provides civil and criminal immunity for a person who is required to report an incident of domestic violence.

Date	Action
01/10/2013	S: Author Added Brent Waltz
01/10/2013	S: 1st Reading Assigned Corrections and Criminal Law

SB0449 Coverage for smoking cessation drugs. ([Breux](#))

Digest

Requires a state employee health benefit plan, a policy of accident and sickness insurance, and a health maintenance organization contract that provides coverage for prescription drugs to provide coverage for smoking cessation drugs.

Date	Action
01/10/2013	S: Author Added Jean Breux
01/10/2013	S: 1st Reading Assigned Insurance

SB0503 Tactical emergency medicine. ([Becker](#))

Digest

Allows an individual to practice tactical emergency medicine if the individual: (1) is an emergency medical technician, an advanced emergency medical technician, or a paramedic; (2) is employed by a law enforcement agency or an emergency medical services agency to provide retrieval and field medical treatment to victims of violent confrontations; and (3) has successfully completed an accredited educational training program in tactical emergency medicine. Provides that the individual must act within the scope of the individual's training and as allowed by the supervising medical director. Requires a law enforcement agency or an emergency medical

services agency that allows a person to practice tactical medicine to be certified. Requires the emergency medical services commission to adopt emergency rules to incorporate existing policy and curriculum requirements.

Date	Action
01/14/2013	S: Author Added Vaneta Becker
01/14/2013	S: 1st Reading Assigned Health and Provider Services

SB0508 Health coverage. ([Steele](#))

Digest

Removes an Indiana check up plan eligibility requirement that an individual be without health insurance coverage for six months. Exempts certain short term accident and sickness insurance policies from certain requirements if the policy duration is less than 12 months. (Current law provides the exemptions if the duration is less than six months.)

Date	Action
01/14/2013	S: Author Added Brent Steele
01/14/2013	S: 1st Reading Assigned Health and Provider Services

SB0520 ERASER committee. ([Head](#))

Digest

Creates the eliminate, reduce, and streamline employee regulation (ERASER) committee to study professional licensing in Indiana. Provides that the office of management and budget staffs the committee. Repeals the regulated occupations evaluation committee. Creates a five year cycle for sunseting professional licenses, registrations, and certifications.

Date	Action
01/14/2013	S: Author Added Randy Head
01/14/2013	S: 1st Reading Assigned Commerce, Economic Development and Technology

SB0540 Implementation of federal Affordable Care Act. ([Tallian](#))

Digest

Establishes the Indiana affordable care study committee to study and make recommendations to the legislative council concerning the establishment and implementation of a health benefit exchange in Indiana and the defining of "essential health benefits" for use in Indiana. Changes Medicaid eligibility requirements as allowed under the federal Patient Protection and Affordable Care Act. Expires, on December 31, 2013, language that sets forth certain asset limitations within the Medicaid program. Requires the department of insurance to create a health benefit exchange in Indiana. Requires the legislative services agency to prepare legislation for introduction in the 2014 session to make necessary changes to statutes affected by this act. Requires the department of insurance to report annually to the study committee concerning the status and operation of the health benefit exchange established by the department of insurance.

Date	Action
01/14/2013	S: Author Added Karen Tallian
01/14/2013	S: 1st Reading Assigned Appropriations
01/14/2013	S: 2nd Author Added Jean Breaux
01/14/2013	S: Co Author Added Mark Stoops

01/14/2013 **S: Co Author** Added [Lonnie Randolph](#)

01/14/2013 **S: Co Author** Added [Tim Lanane](#)

SB0551 Federal health care reform. ([Pat Miller](#))

Digest

Defines populations that may be subject to Medicaid resource requirements. Eliminates resource requirements in determining Medicaid eligibility for specified populations. Provides for implementation of the federal Patient Protection and Affordable Care Act with respect to a health benefit exchange in Indiana. Specifies requirements for health plans issued through a health benefit exchange. Requires a navigator or an assister to be certified or registered before providing services with respect to a health benefit exchange. Provides for dissolution of the Indiana comprehensive health insurance association.

Date	Action
01/14/2013	S: Author Added Patricia L. Miller
01/14/2013	S: 1st Reading Assigned Health and Provider Services

SB0554 Telehealth services under Medicaid. ([Becker](#))

Digest

Requires the office of Medicaid policy and planning to reimburse specified providers for telehealth services under the Medicaid program.

Date	Action
01/14/2013	S: Author Added Vaneta Becker
01/14/2013	S: 1st Reading Assigned Health and Provider Services

SB0559 Fraud. ([Hershman](#))

Digest

Sets forth the Medicaid ineligibility time frame for a person who is convicted of forgery, fraud, legend drug deception, and other deceptions related to the application for or receipt of Medicaid assistance.

Date	Action
01/14/2013	S: Author Added Brandt Hershman
01/14/2013	S: 1st Reading Assigned Health and Provider Services
01/23/2013	S: Committee Sched 9:00 AM Room 431 Health and Provider Services
01/24/2013	S: 2nd Author Added Ryan D. Mishler

SB0589 Occupational licensing issues. ([Mishler](#))

Digest

Permits professional licensing boards to include consumer restitution orders in cease and desist orders issued against persons who commit unlicensed practice. Permits medical and professional licensing boards to include orders requiring repayment of certain costs relating to cease and desist proceedings. Includes within the cease and desist statute failure to obtain a certificate required for sellers of preneed funeral services and merchandise. Allows the state board of funeral and cemetery service to issue a cease and desist order against a person who solicits or sells preneed funeral services and merchandise if the person has not obtained a preneed certificate from the board, even if the person possesses an active funeral director license, funeral home license, embalmer

license, or cemetery registration. Authorizes the division of consumer protection in the attorney general's office to obtain mental health records without a court order if access to or inspection of the records is necessary for the investigation of a consumer protection or licensing complaint. Amends the law governing the auctioneer consumer recovery fund, real estate recovery fund, and plumbing recovery fund to provide that petitions requesting payment from the funds are filed with the respective licensing commission instead of with the court in which the underlying judgment against the licensee was entered. Amends the medical practice act to provide that laser hair removal constitutes the practice of medicine. Prohibits a person from misrepresenting the effect a purchase of prepaid funeral services and merchandise may have on the purchaser's eligibility for Medicaid.

Date	Action
01/15/2013	S: Author Added Ryan D. Mishler
01/15/2013	S: 1st Reading Assigned Commerce, Economic Development and Technology
01/15/2013	S: Author Ryan D. Mishler

SB0616 *Study of electronic medical records.* ([Breux](#))

Digest

Requires the state department of health to study the collection, maintenance, sharing, and use of electronic health data in Indiana.

Date	Action
01/16/2013	S: Author Jean Breux
01/17/2013	S: Author Added Jean Breux
01/17/2013	S: 1st Reading Assigned Health and Provider Services