

Select bills for the 2021 Indiana General Assembly Legislative Session

- HB1002** **CIVIL IMMUNITY RELATED TO COVID-19 (TORR J)** Protects health care providers from professional discipline for certain acts or omissions related to the provision of health care services during a state disaster emergency. Provides that the protection applies to the provision of health care services after February 29, 2020, and before April 1, 2022. Provides that a health care provider is not protected from professional discipline if the health care provider's action, omission, decision, or compliance constitutes gross negligence or willful misconduct. Provides that a health care provider is not protected from professional discipline for actions that are outside the skills, education, and training of the health care provider, unless the health care provider's actions are undertaken in good faith and in response to a lack of resources caused by a state disaster emergency. Specifies that orders and recommendations issued by local, state, and federal government agencies and officials during a state disaster emergency do not create new causes of action or new legal duties. Specifies that the orders and recommendations are presumed irrelevant to the issue of the existence of a duty or breach of a duty. Specifies that the orders and recommendations are inadmissible at trial to establish that a new cause of action has been created or proof of a duty or a breach of a duty. Prohibits bringing a civil action against another person based in whole or in part on an allegation that the person's loss, damage, injury, or death was caused by the: (1) exposure to COVID-19; (2) transmission of COVID-19; or (3) contraction of COVID-19; unless the person establishes that the other person caused the loss, damage, injury, or death by an act or omission constituting gross negligence or willful misconduct. Prohibits filing a class action lawsuit against a defendant in a civil action allowed by the statute. Specifies that a governmental entity or employee is not liable if a loss results from an act or omission arising from COVID-19 unless the act or omission constitutes gross negligence or willful misconduct. Provides that a person is not liable to a claimant for loss, damage, injury, or death arising from COVID-19 unless the claimant proves by clear and convincing evidence that the person caused the loss, damage, injury, or death by an act or omission constituting gross negligence or willful misconduct. Provides immunity from civil liability to certain persons, entities, and facilities providing health care services after February 29, 2020, and before April 1, 2022, for certain acts or omissions related to the provision of health care services during a state disaster emergency.
- Current Status:** 1/4/2021 - Referred to House Judiciary
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Coauthored by Representatives Young J, Jeter, Lehman
1/4/2021 - Authored By Jerry Torr
State Bill Page: [HB1002](#)
- HB1018** **INTERIM STUDY COMMITTEE (BARTLETT J)** Urges the legislative council to assign the task of studying human trafficking to an appropriate study committee.
- Current Status:** 1/4/2021 - Referred to House Rules and Legislative Procedures
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Authored By John Bartlett
State Bill Page: [HB1018](#)
- HB1021** **HEALTH WORKFORCE STUDENT LOAN REPAYMENT PROGRAM (MANNING E)** Establishes the following: (1) The health workforce student loan repayment program (program). (2) The health workforce council (council). (3) The health workforce student loan repayment program fund (fund) for the purpose of providing funds to repay outstanding student loans of certain health providers who meet the program requirements. Provides that the professional licensing agency (agency) shall, in coordination with the council, administer the program. Establishes: (1) the imposition of fees at the time a license is issued or renewed for certain health profession licenses; and (2) qualifications to receive a student loan repayment award under the program. Provides that, beginning July 1, 2022: (1) each board may award loan repayment to an eligible applicant who is a provider licensed by the board; and (2) the council may award loan repayment to an eligible applicant who is an eligible provider. Requires, not later than July 1, 2023, and not later than July 1 every two years thereafter, the agency to submit a report concerning the program and fund to the governor and the general assembly. Provides that money in the fund is continuously appropriated. Repeals provisions concerning the following: (1) The primary care physician loan forgiveness program. (2) The mental health services development programs. (3) The dental underserved area and minority recruitment program.
- Current Status:** 1/4/2021 - Referred to House Ways and Means
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Coauthored by Representatives Barrett and Vermilion
1/4/2021 - Authored By Ethan Manning
State Bill Page: [HB1021](#)
- HB1022** **MINIMUM AGE FOR JUVENILE DETENTION (PRYOR C)** Provides that a child who is less than 12 years of age may not be held in a juvenile detention facility, unless: (1) the child is 10 years of age or 11 years of age; and (2) the court finds that: (A) there is probable cause to believe the child committed an act that would be murder if committed by an adult; and (B) it is in the best interests of the child or the community that a petition be filed alleging that the child is a delinquent child. Requires a court that orders a child 10 years of age or 11 years of age to be detained in a juvenile facility to make specified written findings and conclusions.
- Current Status:** 1/4/2021 - Referred to Committee on Courts and Criminal Code
All Bill Status: 1/4/2021 - First Reading

State Bill Page: [HB1022](#)**HB1060**

OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS (STEUERWALD G) Allows a petition for review of an agency administrative action to be filed by mail, personal service, or electronic mail (current law requires a petition for review to be filed by mail or personal service). Provides that the filing of a document in an administrative proceeding is considered complete on the date of the electronic submission if the document is sent by electronic mail. Allows an ultimate authority of an agency to request that the office of administrative law proceedings (office) review a motion to disqualify an administrative law judge. Allows the department of child services to request the office to conduct administrative proceedings on certain administrative actions related to child support and certain substantiated reports of child abuse or neglect. Requires the office to maintain confidentiality in administrative proceedings concerning actions by the department of child services.

Current Status: 1/4/2021 - Referred to House Judiciary**All Bill Status:** 1/4/2021 - First Reading

1/4/2021 - Coauthored by Representatives Borders, Jeter, DeLaney

1/4/2021 - Authored By Gregory Steuerwald

State Bill Page: [HB1060](#)**HB1068**

LOCAL JUSTICE REINVESTMENT ADVISORY COUNCILS (FRYE R) Establishes a local justice reinvestment advisory council (local advisory council) in each county in Indiana. Provides that the purpose of a local advisory council is to review local criminal justice systems, policies, and procedures. Provides that the justice reinvestment advisory council shall assist local advisory councils with promoting: (1) the use of evidence based practices; and (2) certain best practices of community based alternatives and recidivism reduction programs. Sets forth duties of local advisory councils. Requires that the justice reinvestment advisory council conduct a review of community corrections code provisions in the Indiana Code.

Current Status: 1/4/2021 - Referred to Committee on Courts and Criminal Code**All Bill Status:** 1/4/2021 - First Reading

1/4/2021 - Authored By Randall Frye

State Bill Page: [HB1068](#)**HB1089**

STUDENT HUNGER AND HOMELESSNESS (HARRIS JR. E) Establishes the student hunger and homelessness study committee (committee) for the purposes of: (1) studying the prevalence of homelessness, housing insecurity, and food insecurity among students at Indiana colleges and universities during the 2021 academic year; and (2) providing suggestions for eliminating these issues. Provides that the committee must determine, as accurately as practicable, the number of Indiana college and university students who are homeless, housing insecure, or food insecure. Provides that the committee consists of: (1) an employee of the family and social services administration; (2) an employee of the department of child services; (3) an employee of the department of education; (4) an employee of the commission for higher education; (5) an employee of the Indiana housing and community development authority; (6) a member of the commission on improving the status of children in Indiana; and (7) an employee of each state educational institution. Provides that the committee may solicit assistance from private groups, colleges, and universities in performing the study. Requires the committee to report the results of the study to the governor and the legislative council not later than July 31, 2022.

Current Status: 1/4/2021 - Referred to House Rules and Legislative Procedures**All Bill Status:** 1/4/2021 - First Reading

1/4/2021 - Authored By Earl Harris Jr

State Bill Page: [HB1089](#)**HB1391**

KINSHIP CARE OVERSIGHT COMMITTEE (SUMMERS V) Establishes the kinship care oversight committee (committee). Requires the committee to study all aspects of kinship care. Specifies other duties of the committee. Authorizes the committee to meet at any time at the call of the chairperson. Specifies other policies governing the committee. Establishes a kinship care oversight advisory board to advise the committee in carrying out its duties. Specifies the policies governing the kinship care oversight advisory board.

Current Status: 1/14/2021 - Referred to House Family, Children and Human Affairs**All Bill Status:** 1/14/2021 - First Reading

1/14/2021 - Authored By Vanessa Summers

State Bill Page: [HB1391](#)**HB1506**

FOSTERING AND ADOPTION IMMUNIZATION WAIVERS (JACOB J) Provides that the department of child services may not require an individual or members of the individual's household to undergo an immunization as a condition of adopting a child or overseeing a child in foster care, if the individual provides: (1) written notice that the individual objects to the immunization on religious grounds; or (2) written certification from a physician that the immunization is or may be detrimental to the individual's health. Provides that the department of child services may not require an individual to undergo an immunization as a condition of issuing or renewing the individual's foster family home license, if the individual provides: (1) written notice that the individual objects to the immunization on religious grounds; or (2) written certification from a physician that the immunization is or may be detrimental to the individual's health.

Current Status: 1/14/2021 - Authored By John Jacob**State Bill Page:** [HB1506](#)

- SB1** **CIVIL IMMUNITY RELATED TO COVID-19** (MESSMER M) Provides civil immunity for damages resulting from exposure of an individual to COVID-19 on the premises owned or operated by a person, on any premises on which the person or an employee or agent of the person provided property or services to the individual, or during an activity managed, organized, or sponsored by the person.
Current Status: 1/6/2021 - Senate Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 1:30 PM, Rm. 130
All Bill Status: 1/4/2021 - Referred to Senate Judiciary
1/4/2021 - First Reading
1/4/2021 - Coauthored by Senator Zay
1/4/2021 - Authored By Mark Messmer
State Bill Page: [SB1](#)
- SB36** **PSYCHOLOGY INTERJURISDICTIONAL COMPACT** (BECKER V) Establishes the psychology interjurisdictional compact concerning interjurisdictional telepsychology and the temporary authorization to practice psychology in another compact state. Sets forth requirements of a compact state. Sets forth the duties of the psychology interjurisdictional compact commission.
Current Status: 1/4/2021 - Referred to Senate Health and Provider Services
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Authored By Vaneta Becker
State Bill Page: [SB36](#)
- SB46** **LICENSURE OF ART THERAPISTS** (GROOMS R) Provides that art therapy services provided to an individual who receives mental health services or to an individual who receives services from a community mental health center are reimbursable under Medicaid. Provides for the licensure of professional art therapists and art therapist associates by the behavioral health and human services licensing board through the professional licensing agency. Establishes qualifications and requirements for a licensed art therapist and licensed art therapist associate.
Current Status: 1/4/2021 - Referred to Senate Health and Provider Services
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Authored By Ronald Grooms
State Bill Page: [SB46](#)
- SB51** **MEDICAID REIMBURSEMENT FOR SCHOOLS** (ZAY A) Allows the office of the secretary of family and social services to apply for a Medicaid state plan amendment to allow school corporations to seek Medicaid reimbursement for medically necessary, school based Medicaid covered services that are provided under federal or state mandates. Specifies possible services for Medicaid reimbursement. Adds physical therapy to the list of services a school psychologist may refer a student. Allows a school psychologist to make referrals to physical therapists for mandated school services.
Current Status: 1/4/2021 - Referred to Senate Health and Provider Services
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Authored By Andy Zay
State Bill Page: [SB51](#)
- SB66** **ADOPTION SUBSIDIES** (NIEZGODSKI D) Prohibits the department of child services (department), a licensed child placing agency, or a court from considering the following when determining the suitability of a prospective adoptive parent: (1) The eligibility of the prospective adoptive parent to receive adoption assistance payments or an adoption subsidy. (2) The amount of the adoption assistance payments or adoption subsidy for which the prospective adoptive parent qualifies. Requires, with certain exceptions, that the department: (1) enter into an agreement with each adoptive parent of a child with special needs who is eligible for an adoption subsidy to provide an adoption subsidy for the child; and (2) allocate to the adoption assistance account funds necessary to make the adoption subsidy payments. Prohibits the department from terminating an adoption subsidy agreement with an adoptive parent due to a lack of sufficient funds in the adoption assistance account. Provides that the amount of adoption subsidy payments may not be less than an amount equal to 50% of the amount that would be payable by the department for the monthly cost of care of the adopted child in a foster family home at the time that: (1) the adoption subsidy agreement is made; or (2) the subsidy is payable under the terms of the agreement; whichever is greater. Makes conforming changes.
Current Status: 1/4/2021 - Referred to Senate Family and Children Services
All Bill Status: 1/4/2021 - First Reading
1/4/2021 - Authored By David Niezgodski
State Bill Page: [SB66](#)

- SB82** **MENTAL HEALTH DIAGNOSIS** (CRIDER M) Defines "mental health diagnosis" and sets forth requirements that must be met in order for certain licensed professionals to provide a mental health diagnosis. Requires certain mental health professionals who are making a mental health diagnosis and who determine that the patient has not been examined by a physician in the preceding 12 months to recommend to the patient that the patient schedule an examination by a physician at the earliest opportunity. Requires notation of that recommendation in the patient's medical record.
Current Status: 1/5/2021 - Referred to Senate Health and Provider Services
All Bill Status: 1/5/2021 - First Reading
1/5/2021 - Authored By Michael Crider
State Bill Page: [SB82](#)
- SB137** **KIDS FIRST TRUST FUND BOARD** (ZAY A) Allows the Indiana kids first trust fund board (board) to create a nonprofit subsidiary corporation to solicit and accept private funding, gifts, donations, bequests, devises, and contributions. Provides that the members of the board serve terms of four years (rather than two years under current law) and provides for the terms of the appointed members of the board to be staggered. Provides that a majority of the appointed members of the board constitutes a quorum for purposes of board meetings. Provides that an affirmative vote of the majority of the board members participating in a board meeting is required for the board to take action at the meeting. Provides that at least two meetings of the board each year must be conducted with at least a quorum of the members of the board. Provides that not later than 10 days after a meeting of the board, the board shall post a draft of the minutes of the meeting on the board's Internet web site. Requires the board to study the topic of establishing a nonprofit subsidiary corporation and provide a report to the general assembly with the board's findings.
Current Status: 1/14/2021 - Senate Bills on Second Reading
All Bill Status: 1/11/2021 - Committee Report do pass, adopted
1/11/2021 - Senate Committee recommends passage Yeas: 8; Nays: 0
1/11/2021 - Senate Family and Children Services, (Bill Scheduled for Hearing);
Time & Location: 9:30 AM, Rm. 233
1/5/2021 - Referred to Senate Family and Children Services
1/5/2021 - First Reading
1/5/2021 - Authored By Andy Zay
State Bill Page: [SB137](#)
- SB209** **FOSTER CARE PROGRAM TAX CREDIT** (DORIOT B) Provides a tax credit for a taxpayer that makes a monetary contribution to a qualifying foster care organization. Defines "qualifying foster care organization" as a nonprofit that is engaged in providing foster care in Indiana and is exempt from federal taxation under Section 501 of the Internal Revenue Code. Provides that the department of state revenue (department) shall grant a tax credit against any state tax liability due equal to 50% of the amount of the monetary contribution by a person to a qualifying foster care organization. Provides that the tax credit that a taxpayer receives may not exceed \$100,000 for any taxable year. Provides that the amount of tax credits allowed may not exceed \$2,000,000 in the state fiscal year. Provides that to claim a tax credit an application must be filed with the department. Provides that the department shall promptly notify an applicant whether, or the extent to which, the tax credit is allowable in the state fiscal year in which the application is filed. Provides that when the total credits approved equal the maximum amount allowable in any state fiscal year, no application thereafter filed for that fiscal year shall be approved.
Current Status: 1/7/2021 - Referred to Senate Family and Children Services
All Bill Status: 1/7/2021 - First Reading
1/7/2021 - Authored By Blake Doriot
State Bill Page: [SB209](#)
- SB239** **PROVISION OF REMOTE CHILD SERVICES** (BROWNL) Requires the department of child services to establish before October 1, 2021, policies and procedures to allow for child services to be provided remotely. Specifies factors that must be considered when determining whether remote services are appropriate for a child.
Current Status: 1/11/2021 - Referred to Senate Family and Children Services
All Bill Status: 1/11/2021 - First Reading
1/11/2021 - Authored By Liz Brown
State Bill Page: [SB239](#)
- SB259** **PARENTS WITH DISABILITIES** (NIEZGODSKI D) Specifies that it is the policy of the state to recognize the importance of family and children, including the parenting rights of a parent, regardless of whether the parent has a disability. Provides that the right of a person with a disability to parent the person's child may not be denied or restricted solely because the person has a disability. Establishes procedures to be used in proceedings concerning: (1) custody; (2) parenting time; (3) adoption; (4) foster care; and (5) guardianship; when a parent, prospective parent, prospective foster parent, or prospective guardian is a person with a disability. Requires the department of child services to implement disability awareness training. Requires the department of child services to: (1) transfer records concerning the unlawful removal of a child to the department of child services ombudsman (ombudsman); and (2) after transferring the records, remove, delete, or destroy all information concerning the unlawful removal of a child. Requires the ombudsman to securely store records received from the department of child services. Specifies that records received from the department of child services are confidential and may not be disclosed to the public unless: (1) the parent, guardian, or custodian requests a copy; (2) the records are compiled into an aggregate statistical report containing no identifying information; or (3) the records are redacted. Requires the ombudsman to compile an

aggregate statistical report before July 1, 2022, and before July 1 of each following year.

Current Status: 1/11/2021 - Referred to Senate Family and Children Services

All Bill Status: 1/11/2021 - First Reading

1/11/2021 - Authored By David Niezgodski

State Bill Page: [SB259](#)

SB301

CHILD SERVICES OVERSIGHT COMMITTEE (HOUCHIN E) Establishes the child services oversight committee (committee). Requires the committee to review case decisions of the department of child services (DCS) and the juvenile courts in certain cases with negative outcomes, make recommendations to the DCS and the legislative council, study topics assigned by the legislative council, and study any other issues relevant to the activities of the DCS and improving child safety. Authorizes the committee to meet at any time at the call of the chairperson. Provides that records reviewed by the committee are confidential and may not be disclosed. Requires a local office or the department to redact any identifying information from any record provided to the committee. Specifies other policies governing the committee.

Current Status: 1/11/2021 - Referred to Senate Family and Children Services

All Bill Status: 1/11/2021 - First Reading

1/11/2021 - Authored By Erin Houchin

State Bill Page: [SB301](#)

SB343

FINANCIAL LITERACY FOR FOSTER CHILDREN (TALLIAN K) Requires a transitional services plan for foster children to include information about: (1) the healthy Indiana plan; (2) the federal Supplemental Nutrition Assistance Program; (3) the Temporary Assistance for Needy Families program; (4) basic banking and account management; (5) student loan and grant application completion; and (6) individual development accounts.

Current Status: 1/11/2021 - Referred to Senate Family and Children Services

All Bill Status: 1/11/2021 - First Reading

1/11/2021 - Authored By Karen Tallian

State Bill Page: [SB343](#)