

PROPOSED AMENDMENT

HB 1205 # 1

DIGEST

Recovery community organizations. Requires the secretary of family and social services to provide that the standards for services provided by recovery community organizations for behavioral health recovery, when used as a recovery community organization, be certified through a certain entity and meet other standards established by the division of mental health and addiction.

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 12-21-2-3, AS AMENDED BY P.L.127-2020,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 3. The secretary or the secretary's designee shall
6 do the following:
7 (1) Organize the division, create the appropriate personnel
8 positions, and employ personnel necessary to discharge the
9 statutory duties and powers of the division or a bureau of the
10 division.
11 (2) Subject to the approval of the state personnel department,
12 establish personnel qualifications for all deputy directors,
13 assistant directors, bureau heads, and superintendents.
14 (3) Subject to the approval of the budget director and the
15 governor, establish the compensation of all deputy directors,
16 assistant directors, bureau heads, and superintendents.
17 (4) Study the entire problem of mental health, mental illness, and
18 addictions existing in Indiana.
19 (5) Adopt rules under IC 4-22-2 for the following:
20 (A) Standards for the operation of private institutions that are
21 licensed under IC 12-25 for the diagnosis, treatment, and care
22 of individuals with psychiatric disorders, addictions, or other
23 abnormal mental conditions.
24 (B) Licensing or certifying community residential programs
25 described in IC 12-22-2-3.5 for individuals with serious
26 mental illness (SMI), serious emotional disturbance (SED), or

- 1 chronic addiction (CA) with the exception of psychiatric
2 residential treatment facilities.
- 3 (C) Certifying community mental health centers to operate in
4 Indiana.
- 5 (D) Establish exclusive geographic primary service areas for
6 community mental health centers. The rules must include the
7 following:
- 8 (i) Criteria and procedures to justify the change to the
9 boundaries of a community mental health center's primary
10 service area.
- 11 (ii) Criteria and procedures to justify the change of an
12 assignment of a community mental health center to a
13 primary service area.
- 14 (iii) A provision specifying that the criteria and procedures
15 determined in items (i) and (ii) must include an option for
16 the county and the community mental health center to
17 initiate a request for a change in primary service area or
18 provider assignment.
- 19 (iv) A provision specifying the criteria and procedures
20 determined in items (i) and (ii) may not limit an eligible
21 consumer's right to choose or access the services of any
22 provider who is certified by the division of mental health
23 and addiction to provide public supported mental health
24 services.
- 25 (6) Institute programs, in conjunction with an accredited college
26 or university and with the approval, if required by law, of the
27 commission for higher education, for the instruction of students
28 of mental health and other related occupations. The programs may
29 be designed to meet requirements for undergraduate and
30 postgraduate degrees and to provide continuing education and
31 research.
- 32 (7) Develop programs to educate the public in regard to the
33 prevention, diagnosis, treatment, and care of all abnormal mental
34 conditions.
- 35 (8) Make the facilities of the state institutions available for the
36 instruction of medical students, student nurses, interns, and
37 resident and fellow physicians under the supervision of the faculty
38 of any accredited school of medicine or osteopathy located in
39 Indiana or an accredited residency or fellowship training program
40 in connection with research and instruction in psychiatric

- 1 disorders.
- 2 (9) Institute a stipend program designed to improve the quality
- 3 and quantity of staff that state institutions employ.
- 4 (10) Establish, supervise, and conduct community programs,
- 5 either directly or by contract, for the diagnosis, treatment, and
- 6 prevention of psychiatric disorders.
- 7 (11) Adopt rules under IC 4-22-2 concerning the records and data
- 8 to be kept concerning individuals admitted to state institutions,
- 9 community mental health centers, or other providers.
- 10 (12) Compile information and statistics concerning the ethnicity
- 11 and gender of a program or service recipient.
- 12 (13) Establish standards for services described in IC 12-7-2-40.6
- 13 for community mental health centers and other providers.
- 14 (14) Provide that the standards for services provided by recovery
- 15 residences for residential care and supported housing for chronic
- 16 addiction, when used as a recovery residence, to:
- 17 (A) be certified through an entity approved by the division to
- 18 ensure adherence to standards determined by the National
- 19 Alliance for Recovery Residences (NARR) or a similar entity;
- 20 and
- 21 (B) meet other standards established by the division under
- 22 rules adopted under IC 4-22-2.
- 23 **(15) Provide that the standards for services provided by**
- 24 **recovery community organizations for behavioral health**
- 25 **recovery, when used as a recovery community organization:**
- 26 **(A) be certified through an entity approved by the division**
- 27 **to ensure adherence to standards determined by the**
- 28 **Indiana Recovery Network or similar entity that certifies**
- 29 **recovery community organizations; and**
- 30 **(B) meet other standards established by the division under**
- 31 **rules adopted under IC 4-22-2.**
- 32 ~~(15)~~ **(16)** Require the division to:
- 33 (A) provide best practice recommendations to community
- 34 mental health centers; and
- 35 (B) work with community mental health centers in a
- 36 collaborative manner in order to ensure improved health
- 37 outcomes as a part of reviews or audits.
- 38 Documentation developed as a part of an incident or death
- 39 reporting audit or review is confidential and may only be shared
- 40 between the division and the community mental health center.".

- 1 Renumber all SECTIONS consecutively.
(Reference is to HB 1205 as introduced.)