MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1182, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 4, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-163, AS AMENDED BY P.L.2-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 163. (a) Except as provided in subsection (c), "health care provider", for purposes of IC 16-21 and IC 16-41, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), a dentist, a registered or licensed practical nurse, a midwife, an optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a paramedic, an emergency medical technician, an advanced emergency medical technician, an athletic trainer, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or
institution acting in the course and scope of the person's employment.

(2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community intellectual disability center, community health center, or migrant health center.

(4) A home health agency (as defined in IC 16-27-1-2).

(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-32-5, IC 16-36-5, and IC 16-36-6, and IC 16-41-10 means an individual licensed or authorized by this state to provide health care or professional services as:

(1) a licensed physician;

(2) a registered nurse;

(3) a licensed practical nurse;

(4) an advanced practice registered nurse;
(5) a certified nurse midwife;
(6) a paramedic;
(7) an emergency medical technician;
(8) an advanced emergency medical technician;
(9) an emergency medical responder, as defined by section 109.8 of this chapter;
(10) a licensed dentist;
(11) a home health aide, as defined by section 174 of this chapter;
or
(12) a licensed physician assistant.
The term includes an individual who is an employee or agent of a health care provider acting in the course and scope of the individual's employment.

(d) "Health care provider", for purposes of section 1.5 of this chapter and IC 16-40-4, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.
(2) A blood bank, laboratory, community mental health center, community intellectual disability center, community health center, or migrant health center.
(3) A home health agency (as defined in IC 16-27-1-2).
(4) A health maintenance organization (as defined in IC 27-13-1-19).
(5) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).
(6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:
   (A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;
(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(e) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a)."

Page 8, line 11, strike "subsection (d)," and insert "subsection (e),".

Page 8, line 25, delete "blood borne" and insert "bloodborne".

Page 9, strike lines 14 through 21.

Page 15, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 25. IC 16-41-7.5-6, AS AMENDED BY P.L.198-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A qualified entity that operates a program under this chapter must do the following:

(1) Annually register the program in a manner prescribed by the state department with the:

(A) state department; and

(B) local health department in the county or municipality where services will be provided by the qualified entity if the qualified entity is not the local health department.

(2) Have one (1) of the following licensed in Indiana provide oversight to the qualified entity's programs:

(A) A physician.

(B) A registered nurse.

(C) A physician assistant.

(3) Store and dispose of all syringes and needles collected in a safe and legal manner.

(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.
(6) Provide syringe and needle distribution and collection without collecting or recording personally identifiable information.
(7) Operate in a manner consistent with public health and safety.
(8) Ensure the program is medically appropriate and part of a comprehensive public health response.
(9) Keep sufficient quantities of an overdose intervention drug (as defined in IC 16-18-2-263.9) in stock and to administer in accordance with IC 16-42-27.
(10) Provide testing for communicable diseases, and if an individual tests positive for a communicable disease, provide health care services or a referral to a health care provider for the services.
(11) Establish a referral process for program participants in need of:
   (A) information or education concerning communicable diseases; or
   (B) health care.

SECTION 26. IC 16-41-7.5-12, AS ADDED BY P.L.208-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Before November 1 of each year, the state department shall submit a report concerning syringe exchange programs operated under this chapter to the governor and to the general assembly in an electronic format under IC 5-14-6.
(b) Before November 1, 2020, as part of the report to the general assembly required under subsection (a), the state department shall ensure the report includes the following additional information concerning the program:
   (1) The number of programs operating in Indiana.
   (2) The data, compiled for each program, reported to the state department under section 10 of this chapter.
   (3) Any other information the state department deems relevant to the general assembly in assessing the effectiveness of having a program in the state.

SECTION 27. IC 16-41-7.5-14, AS AMENDED BY P.L.198-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. This chapter expires July 1, 2022."
"(3) A health care provider who is exposed to blood and body fluids while providing medical care to a patient.".

Page 30, line 11, after "provider" insert "a health care provider, ".
Page 30, line 16, after "provider" insert "a health care provider, ".
Page 30, line 19, after "provider" insert "health care provider, ".
Page 30, line 20, after "provider's" insert "health care provider's, ".
Page 30, line 22, after "provider" insert "health care provider, ".
Page 30, line 25, after "provider" insert "health care provider, ".
Page 30, line 34, after "provider's" insert "health care provider's, ".
Page 30, line 41, after "provider" insert "health care provider, ".
Page 31, line 5, after "provider" insert "health care provider, ".
Page 31, line 10, after "provider" insert "health care provider, ".
Page 31, line 14, after "provider" insert "health care provider, ".
Page 31, line 15, after "provider's" insert "health care provider's, ".
Page 31, line 20, after "provider" insert "health care provider, ".
Page 31, line 29, after "provider" insert "health care provider, ".
Page 31, line 34, after "provider's" insert "health care provider's, ".
Page 31, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 41. IC 16-41-10-2.6, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.6. (a) This section applies to:

(1) an emergency medical services provider; and

(2) a law enforcement officer; and

(3) a health care provider;

who has have been exposed to blood or body fluids as described in section 2(a) of this chapter.

(b) A person to whom this chapter section applies may submit an emergency application for a blood or body fluid specimen to a circuit or superior court having jurisdiction to issue a warrant.

(c) An emergency application for a blood or body fluid specimen must be verified and include the following information:
(1) The name and employing agency of the person exposed to the blood or body fluids.

(2) The name of the patient to whose blood or body fluids the person has been exposed.

(3) A concise description of the circumstances under which the exposure occurred.

(4) A concise explanation of why immediate testing is necessary.

(5) Any other information required by the court.

(d) If it appears from the emergency application for a blood or body fluid specimen that:

(1) the person exposed to the blood or body fluid is a person to whom this section applies; and

(2) immediate testing is necessary;

the court shall approve the emergency application for a blood or body fluid specimen ex parte, without notice or a hearing, and issue an emergency order requiring the patient to whose blood or body fluid the emergency medical services provider, health care provider, or law enforcement officer has been exposed to provide a blood or body fluid specimen for testing.

Page 31, line 42, after "provider" insert ", health care provider, ".

Page 32, line 12, after "provider" insert ", health care provider, ".

Page 32, line 14, after "provider's" insert "or health care provider's."

Page 32, line 17, after "provider" insert ", health care provider, ".

Page 32, line 18, after "provider's" insert ", health care provider's."

Page 32, line 23, after "provider" insert ", health care provider, ".

Page 32, line 27, after "provider" insert "or health care provider".

Page 32, line 30, after "employer" insert "or health care provider's employer".

Page 32, line 34, after "provider" insert ", health care provider, ".

Page 33, line 15, after "provider" insert ", health care provider, ".

Page 33, line 19, after "provider" insert ", health care provider, ".

Page 33, line 22, after "provider" insert ", health care provider, ".

Page 33, line 25, after "provider" insert ", health care provider, ".

Page 35, line 10, delete "IC 16-51" and insert "IC 16-49.5".

Page 35, line 13, delete "51." and insert "49.5.".
Page 35, between lines 17 and 18, begin a new paragraph and insert:
"Sec. 2. As used in this chapter, "SOFR" means suicide and
overdose fatality review.".
Page 35, line 18, delete "2." and insert "3."
Page 35, line 21, delete "IC 16-51-2-1." and insert "IC
16-49.5-2-1."
Page 35, delete lines 22 through 23.
Page 49, line 20, delete "IC 16-51-2," and insert "IC 16-49.5-2,"
Page 50, line 1, delete "IC 16-51-2-8" and insert "IC 16-49.5-2-8"
Page 50, line 4, delete "IC 16-51-2-11" and insert "IC
16-49.5-2-11"
Renumber all SECTIONS consecutively.
(Reference is to HB 1182 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.