

HOUSE BILL No. 1118

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-85.6; IC 12-10-3.

Synopsis: Services for endangered adults. Provides that the bureau of aging and in-home services may contract with a fire department to provide certain services to an endangered adult. Provides that a fire department is considered a governmental entity qualified to perform the remainder of services required, or is qualified to provide the services required, if the fire department has developed and implemented: (1) a mobile integrated healthcare program; or (2) a community paramedicine program; to provide comprehensive treatment or a safety plan for an endangered adult who has previously sought and received emergency medical services. Defines "fire department". Provides that a "governmental entity" means an office or a department that is under the direct supervision of a local elected official, a county office, a city office, a town office, or a township trustee office.

Effective: July 1, 2021.

Schaibley

January 7, 2021, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1118

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

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

1 SECTION 1. IC 12-7-2-85.6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 85.6. "Fire department", for purposes of IC 12-10-3,**
4 **has the meaning set forth in IC 12-10-3-2.5.**

5 SECTION 2. IC 12-10-3-2.5 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2021]: **Sec. 2.5. As used in this chapter, "fire department" means**
8 **a paid fire department established under IC 36-8-2-3 or a**
9 **volunteer fire department (as defined in IC 36-8-12-2) that renders**
10 **fire prevention or fire protection services to a political subdivision**
11 **(as defined in IC 36-1-2-13).**

12 SECTION 3. IC 12-10-3-3 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3. As used in this**
14 **chapter, "governmental entity" means an office or a department that is**
15 **under the direct supervision of a local elected official, or a county**
16 **office, a city office, a town office, or a township trustee office.**

17 SECTION 4. IC 12-10-3-7, AS AMENDED BY P.L.116-2007,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2021]: Sec. 7. (a) The division shall provide coverage for the
3 services required in each county under this chapter and may contract
4 with:

5 (1) a prosecuting attorney;

6 (2) a prosecuting attorney to perform part of the services and a
7 governmental entity qualified to perform the remainder of the
8 services required; ~~or~~

9 (3) if a prosecuting attorney decides not to enter into a contract,
10 a governmental entity qualified to provide the services required;

11 **or**

12 **(4) a fire department to:**

13 **(A) perform the remainder of the services required; or**

14 **(B) provide the services required.**

15 (b) The contracts entered into by the division under this section
16 must specify that the notification provisions described in sections 21(4)
17 and 28(b)(5) of this chapter must be followed.

18 (c) A prosecuting attorney who is contracted to provide services
19 under this section may perform services under this chapter in
20 accordance with ~~subsection~~ **subsections** (d) and (e).

21 (d) Except as provided in subsection (e), a prosecuting attorney who
22 has contracted to provide services under this section may provide
23 services in another county if:

24 (1) the prosecuting attorney of the other county has not entered
25 into a contract with the division to provide services; or

26 (2) the prosecuting attorney of the other county requests the
27 prosecuting attorney to provide services.

28 (e) Services provided by a prosecuting attorney who is providing
29 services in another county under this section may include the
30 investigation of matters related to the abuse, neglect, or exploitation of
31 an endangered adult. However, a prosecuting attorney who is providing
32 services in another county under this section may not initiate any
33 judicial proceeding (including seeking a temporary restraining order,
34 an order for protection, or a similar order from a court) in the other
35 county.

36 **(f) A fire department that is contracted to provide services**
37 **under this section may perform services under this chapter in**
38 **accordance with subsections (g) and (h).**

39 **(g) A fire department is considered a governmental entity**
40 **qualified to perform the remainder of services required, or is**
41 **qualified to provide the services required, under this chapter if the**
42 **fire department has developed and implemented:**



1 **(1) a mobile integrated healthcare program under**
2 **IC 16-31-12; or**
3 **(2) a community paramedicine program;**
4 **to provide comprehensive treatment or a safety plan for an**
5 **endangered adult who has previously sought and received**
6 **emergency medical services (as defined in IC 16-18-2-110).**
7 **(h) A fire department shall coordinate and cooperate with other**
8 **fire departments, health care providers, preventative care service**
9 **providers, mental health and behavioral providers, social service**
10 **agencies, and companion service providers located within the**
11 **community to ensure that the programs described in subsection (g)**
12 **are effectively implemented to prevent or mitigate a future need**
13 **for emergency and nonemergency calls for emergency medical**
14 **services (as defined in IC 16-18-2-110) from an endangered adult**
15 **described in subsection (g).**

