

HOUSE BILL No. 1249

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-21-2-3.

Synopsis: 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.

Effective: July 1, 2024.

Garcia Wilburn, Fleming, Haggard

January 9, 2024, read first time and referred to Committee on Public Health.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1249



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

- 1 SECTION 1. IC 12-21-2-3, AS AMENDED BY P.L.127-2020,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2024]: Sec. 3. The secretary or the secretary's designee shall
- 4 do the following:
- 5 (1) Organize the division, create the appropriate personnel
- 6 positions, and employ personnel necessary to discharge the
- 7 statutory duties and powers of the division or a bureau of the
- 8 division.
- 9 (2) Subject to the approval of the state personnel department,
- 10 establish personnel qualifications for all deputy directors,
- 11 assistant directors, bureau heads, and superintendents.
- 12 (3) Subject to the approval of the budget director and the
- 13 governor, establish the compensation of all deputy directors,
- 14 assistant directors, bureau heads, and superintendents.
- 15 (4) Study the entire problem of mental health, mental illness, and
- 16 addictions existing in Indiana.
- 17 (5) Adopt rules under IC 4-22-2 for the following:



- 1 (A) Standards for the operation of private institutions that are
2 licensed under IC 12-25 for the diagnosis, treatment, and care
3 of individuals with psychiatric disorders, addictions, or other
4 abnormal mental conditions.
- 5 (B) Licensing or certifying community residential programs
6 described in IC 12-22-2-3.5 for individuals with serious
7 mental illness (SMI), serious emotional disturbance (SED), or
8 chronic addiction (CA) with the exception of psychiatric
9 residential treatment facilities.
- 10 (C) Certifying community mental health centers to operate in
11 Indiana.
- 12 (D) Establish exclusive geographic primary service areas for
13 community mental health centers. The rules must include the
14 following:
- 15 (i) Criteria and procedures to justify the change to the
16 boundaries of a community mental health center's primary
17 service area.
- 18 (ii) Criteria and procedures to justify the change of an
19 assignment of a community mental health center to a
20 primary service area.
- 21 (iii) A provision specifying that the criteria and procedures
22 determined in items (i) and (ii) must include an option for
23 the county and the community mental health center to
24 initiate a request for a change in primary service area or
25 provider assignment.
- 26 (iv) A provision specifying the criteria and procedures
27 determined in items (i) and (ii) may not limit an eligible
28 consumer's right to choose or access the services of any
29 provider who is certified by the division of mental health
30 and addiction to provide public supported mental health
31 services.
- 32 (6) Institute programs, in conjunction with an accredited college
33 or university and with the approval, if required by law, of the
34 commission for higher education, for the instruction of students
35 of mental health and other related occupations. The programs may
36 be designed to meet requirements for undergraduate and
37 postgraduate degrees and to provide continuing education and
38 research.
- 39 (7) Develop programs to educate the public in regard to the
40 prevention, diagnosis, treatment, and care of all abnormal mental
41 conditions.
- 42 (8) Make the facilities of the state institutions available for the



1 instruction of medical students, student nurses, interns, and
 2 resident and fellow physicians under the supervision of the faculty
 3 of any accredited school of medicine or osteopathy located in
 4 Indiana or an accredited residency or fellowship training program
 5 in connection with research and instruction in psychiatric
 6 disorders.

7 (9) Institute a stipend program designed to improve the quality
 8 and quantity of staff that state institutions employ.

9 (10) Establish, supervise, and conduct community programs,
 10 either directly or by contract, for the diagnosis, treatment, and
 11 prevention of psychiatric disorders.

12 (11) Adopt rules under IC 4-22-2 concerning the records and data
 13 to be kept concerning individuals admitted to state institutions,
 14 community mental health centers, or other providers.

15 (12) Compile information and statistics concerning the ethnicity
 16 and gender of a program or service recipient.

17 (13) Establish standards for services described in IC 12-7-2-40.6
 18 for community mental health centers and other providers.

19 (14) Provide that the standards for services provided by recovery
 20 residences for residential care and supported housing for chronic
 21 addiction, when used as a recovery residence, to:

22 (A) be certified through an entity approved by the division to
 23 ensure adherence to standards determined by the National
 24 Alliance for Recovery Residences (NARR) or a similar entity;
 25 and

26 (B) meet other standards established by the division under
 27 rules adopted under IC 4-22-2.

28 **(15) Provide that the standards for services provided by**
 29 **recovery community organizations for behavioral health**
 30 **recovery, when used as a recovery community organization:**

31 **(A) be certified through an entity approved by the division**
 32 **to ensure adherence to standards determined by the**
 33 **Indiana Recovery Network or similar entity that certifies**
 34 **recovery community organizations; and**

35 **(B) meet other standards established by the division under**
 36 **rules adopted under IC 4-22-2.**

37 ~~(15)~~ **(16)** Require the division to:

38 (A) provide best practice recommendations to community
 39 mental health centers; and

40 (B) work with community mental health centers in a
 41 collaborative manner in order to ensure improved health
 42 outcomes as a part of reviews or audits.



1 Documentation developed as a part of an incident or death
2 reporting audit or review is confidential and may only be shared
3 between the division and the community mental health center.

