

HOUSE BILL No. 1412

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-30-3-20; IC 6-8.1-3-28; IC 11-8-2-16; IC 12-13-14-13.5; IC 12-14-30; IC 12-15; IC 16-37-1-10; IC 22-4.1-2-4.

Synopsis: Eligibility for public assistance. Requires the division of family resources (division) of the family and social services administration (FSSA) to: (1) enter into information sharing agreements with: (A) the state lottery commission; (B) the state department of health; (C) the department of workforce development; (D) the department of state revenue; and (E) the department of correction; and (2) review information received by FSSA with regard to individuals receiving assistance under the federal Supplemental Nutrition Assistance Program (SNAP); for purposes of determining the continuing SNAP eligibility of individuals receiving SNAP assistance. Allows the division to enter into an agreement with any other public or private entity for purposes of obtaining information pertinent to determining the continuing SNAP eligibility of individuals receiving SNAP assistance. Requires the division, in cooperation with state or federal law enforcement entities as necessary, to annually conduct an onsite inspection of each retailer located in Indiana that participates in the electronic benefits transfer (EBT) program for purposes of identifying fraudulent EBT transactions. Requires a household receiving SNAP assistance to report a change in circumstances affecting the household's SNAP eligibility to the division not later than 10 days after the household becomes aware of the change. Requires the division to post on the division's Internet web site aggregated, nonconfidential, nonidentifying information regarding the division's findings of noncompliance and fraud with regard to the SNAP program. Prohibits consideration of noncash or in-kind public assistance benefits for purposes of determining an individual's categorical eligibility for
(Continued next page)

Effective: July 1, 2022.

May, DeVon

January 13, 2022, read first time and referred to Committee on Family, Children and Human Affairs.



SNAP assistance. Requires FSSA to: (1) enter into information sharing agreements with: (A) the state lottery commission; (B) the state department of health; (C) the department of workforce development; (D) the department of state revenue; and (E) the department of correction; and (2) review information received by FSSA with regard to individuals receiving Medicaid; for purposes of determining the continuing Medicaid eligibility of individuals receiving Medicaid. Allows FSSA to enter into an agreement with any other public or private entity for purposes of obtaining information pertinent to determining the continuing Medicaid eligibility of individuals receiving Medicaid. Requires FSSA to request approval from the United States Secretary of Health and Human Services for a waiver allowing FSSA to: (1) deny benefits under; and (2) prohibit reenrollment in; Medicaid for not less than six months for a nondisabled, nonpregnant individual not less than 19 years of age and not more than 64 years of age who fails to report to FSSA changes in circumstances that affect the individual's Medicaid eligibility. Requires FSSA to post on FSSA's Internet web site aggregated, nonconfidential, nonidentifying information regarding FSSA's findings of noncompliance and fraud with regard to the Medicaid program. Prohibits a county office of the division from: (1) determining an individual's Medicaid eligibility based solely on a determination regarding the individual's eligibility for Medicaid made by a health benefit exchange established under the federal Affordable Care Act; or (2) accepting for purposes of determining an individual's eligibility for Medicaid the individual's attestation as to the individual's income, age, household composition, status as a caretaker, familial relationships, or receipt of benefits under another state or federal assistance program.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1412

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 4-30-3-20 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]: **Sec. 20. (a) The commission shall enter into an**
4 **information sharing agreement with the division of family**
5 **resources under IC 12-14-30-7(a) under which the commission**
6 **shall provide to the division of family resources such information**
7 **as necessary for the division of family resources to comply with**
8 **IC 12-14-30-7(a).**

9 (b) The commission shall enter into an information sharing
10 agreement with the office of the secretary of family and social
11 services under IC 12-15-1-23(a) under which the commission shall
12 provide to the office of the secretary of family and social services
13 such information as necessary for the office of the secretary of
14 family and social services to comply with IC 12-15-1-23(a).

15 SECTION 2. IC 6-8.1-3-28 IS ADDED TO THE INDIANA CODE
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2022]: **Sec. 28. (a) The department shall enter into an**



1 information sharing agreement with the division of family
 2 resources under IC 12-14-30-7(e) under which the department
 3 shall, not less than once every three (3) months, provide to the
 4 division of family resources such information as necessary for the
 5 division of family resources to comply with IC 12-14-30-7(e).

6 (b) The department shall enter into an information sharing
 7 agreement with the office of the secretary of family and social
 8 services under IC 12-15-1-23(e) under which the department shall
 9 provide to the office of the secretary of family and social services
 10 such information as necessary for the office of the secretary of
 11 family and social services to comply with IC 12-15-1-23(e).

12 SECTION 3. IC 11-8-2-16 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2022]: Sec. 16. (a) The department shall enter into an
 15 information sharing agreement with the division of family
 16 resources under IC 12-14-30-7(f) under which the department
 17 shall, not less than once each month, provide to the division of
 18 family resources such information as necessary for the division of
 19 family resources to comply with IC 12-14-30-7(f).

20 (b) The department shall enter into an information sharing
 21 agreement with the office of the secretary of family and social
 22 services under IC 12-15-1-23(f) under which the department shall,
 23 not less than once each month, provide to the office of the secretary
 24 of family and social services such information as necessary for the
 25 office of the secretary of family and social services to comply with
 26 IC 12-15-1-23(f).

27 SECTION 4. IC 12-13-14-13.5 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2022]: Sec. 13.5. (a) The division shall, in
 30 cooperation with state or federal law enforcement entities as
 31 necessary, annually conduct an onsite inspection of each retailer
 32 located in Indiana that participates in the EBT program.

33 (b) In conducting an inspection under subsection (a), the
 34 division shall:

35 (1) identify any suspicious EBT transaction records or
 36 amounts indicating the possibility of trafficking of EBT
 37 benefits or other criminal activity; and

38 (2) refer any suspicious EBT transaction records or amounts
 39 identified under subdivision (1) to the appropriate state or
 40 federal law enforcement entities for investigation.

41 SECTION 5. IC 12-14-30-4, AS ADDED BY P.L.207-2017,
 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 4. (a) The division shall notify the United States
 2 Department of Agriculture and take any other action necessary for the
 3 state to:

- 4 (1) elect to participate in; and
 5 (2) implement, beginning January 1, 2018;
 6 expanded categorical eligibility within SNAP.

7 (b) **Subject to subsection (c)**, the division shall implement for the
 8 expanded categorical eligibility a countable asset limitation for
 9 resources that does not exceed five thousand dollars (\$5,000). In
 10 determining whether an individual meets the resource requirement of
 11 this subsection, an individual's funeral and burial resources, including
 12 both revocable and irrevocable resources, may not be counted.

13 (c) **Except to the extent required by federal law, the division**
 14 **may not consider noncash or in-kind benefits received by an**
 15 **individual under this title for purposes of determining the**
 16 **individual's categorical eligibility for SNAP assistance under 7**
 17 **U.S.C. 2014(a) or 7 CFR 273.2(j)(2)(iii).**

18 (d) The division may adopt rules under IC 4-22-2 necessary to
 19 implement this section.

20 (e) Before November 1, 2018, the division shall submit a report
 21 in an electronic format under IC 5-14-6 to the legislative council
 22 concerning the projected total amounts that individuals receiving
 23 SNAP benefits would be required to repay over the period beginning
 24 January 1, 2018, and ending December 31, 2019, due to positive errors,
 25 in which individuals are approved for an amount in error and then are
 26 required to repay the amount. The projected total amounts must be
 27 based on the amounts that individuals receiving SNAP benefits have
 28 been required to repay over the period beginning January 1, 2018, and
 29 ending September 30, 2018, due to positive errors.

30 SECTION 6. IC 12-14-30-7 IS ADDED TO THE INDIANA CODE
 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 32 1, 2022]: Sec. 7. (a) **The division:**

33 **(1) shall enter into an information sharing agreement with the**
 34 **state lottery commission that allows the division to identify an**
 35 **individual who:**

- 36 **(A) is receiving SNAP assistance; and**
 37 **(B) receives a prize payment from the state lottery**
 38 **commission under IC 4-30 in an amount greater than the**
 39 **amount of the maximum allowable liquid and non-liquid**
 40 **financial resources specified by 7 CFR 273.8(b) for**
 41 **households that include one (1) or more members who are**
 42 **elderly or have a disability;**



- 1 (2) to the extent not inconsistent with federal law, shall
 2 consider information received under subdivision (1) with
 3 regard to an individual to be verified upon receipt for
 4 purposes of determining whether the prize payment changes
 5 the eligibility of the individual's household for SNAP
 6 assistance;
- 7 (3) to the extent the division may not consider information
 8 received from the state lottery commission to be verified upon
 9 receipt under subdivision (2), shall investigate to identify
 10 households that include an individual described in subdivision
 11 (1); and
- 12 (4) shall determine the degree to which a prize payment from
 13 the state lottery commission received by an individual
 14 identified under this subsection changes the eligibility of the
 15 individual's household for SNAP assistance.
- 16 (b) The division:
- 17 (1) shall enter into an information sharing agreement with the
 18 state department of health that allows the division to identify
 19 individuals receiving SNAP assistance who have died;
- 20 (2) shall, at least once each month, review the information
 21 provided to the division under subdivision (1) to identify
 22 individuals described in subdivision (1); and
- 23 (3) shall determine the degree to which the death of an
 24 individual identified under subdivision (2) changes the
 25 eligibility of the individual's household for SNAP assistance.
- 26 (c) The division:
- 27 (1) shall enter into an information sharing agreement with the
 28 department of workforce development that allows the division
 29 to determine whether:
- 30 (A) wage and employment information; or
 31 (B) unemployment benefit information;
- 32 has changed with regard to an individual receiving SNAP
 33 assistance;
- 34 (2) shall, at least once every three (3) months, review the
 35 information received by the division under subdivision (1)(A)
 36 to identify individuals receiving SNAP assistance for whom
 37 information described in subdivision (1)(A) has changed;
- 38 (3) shall, at least once every two (2) months, review the
 39 information received by the division under subdivision (1)(B)
 40 to identify individuals receiving SNAP assistance for whom
 41 information described in subdivision (1)(B) has changed; and
 42 (4) shall determine the degree to which a change in the



- 1 information described in subdivision (1) with regard to an
2 individual identified under subdivision (2) or (3) changes the
3 eligibility of the individual's household for SNAP assistance.
- 4 (d) The division shall, not less than once each month:
- 5 (1) review information received by the office of the secretary
6 in the immediately preceding month regarding an individual
7 receiving SNAP assistance, including records of the
8 individual's electronic benefits transfer transactions; and
9 (2) determine whether the information described in
10 subdivision (1), including the locations at which the
11 individual's electronic benefits transfer transactions occurred,
12 contains evidence of a change in the individual's residency for
13 purposes of the eligibility of the individual's household for
14 SNAP assistance.
- 15 (e) The division:
- 16 (1) shall enter into an information sharing agreement with the
17 department of state revenue that allows the division to
18 determine whether information reported to the department of
19 state revenue for tax purposes by an individual receiving
20 SNAP assistance has changed;
- 21 (2) shall, at least once every three (3) months, review the
22 information received by the division under subdivision (1) to
23 identify individuals receiving SNAP assistance for whom
24 information described in subdivision (1) has changed; and
25 (3) shall determine the degree to which a change in
26 information reported for tax purposes by an individual
27 identified under subdivision (2) changes the eligibility of the
28 individual's household for SNAP assistance.
- 29 (f) The division:
- 30 (1) shall enter into an information sharing agreement with the
31 department of correction that allows the division to determine
32 whether an individual receiving SNAP assistance is
33 incarcerated;
- 34 (2) shall, at least once each month, review the information
35 received by the division under subdivision (1) to identify
36 individuals receiving SNAP assistance who are incarcerated;
37 and
38 (3) shall determine the degree to which the incarceration of an
39 individual identified under subdivision (2) changes the
40 eligibility of the individual's household for SNAP assistance.
- 41 (g) If the division receives information under this section:
- 42 (1) regarding an individual receiving SNAP assistance; and



1 **(2) indicating a change in circumstances affecting the**
 2 **individual's continued eligibility for SNAP assistance;**
 3 **the division shall review the SNAP eligibility of the individual and**
 4 **the individual's household.**

5 **(h) The division may enter into an agreement with any other**
 6 **public or private entity for purposes of obtaining information**
 7 **pertinent to the determination of the continuing SNAP eligibility**
 8 **of individuals receiving SNAP assistance.**

9 **(i) The division shall adopt rules under IC 4-2-22 necessary to**
 10 **implement this section.**

11 SECTION 7. IC 12-14-30-8 IS ADDED TO THE INDIANA CODE
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 13 1, 2022]: **Sec. 8. A household receiving SNAP assistance shall**
 14 **report a change in circumstances described in 7 CFR 273.12(a)(1)**
 15 **to the division not later than ten (10) days after the household**
 16 **becomes aware of the change in circumstances.**

17 SECTION 8. IC 12-14-30-9 IS ADDED TO THE INDIANA CODE
 18 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 19 1, 2022]: **Sec. 9. At least once every three (3) months, the division**
 20 **shall post on the division's Internet web site aggregated,**
 21 **nonconfidential, nonidentifying information regarding the**
 22 **division's findings of noncompliance and fraud with regard to the**
 23 **SNAP program during the immediately preceding three (3)**
 24 **calendar months, including:**

25 **(1) the number of households investigated for intentional**
 26 **program violations or fraud;**

27 **(2) the number of households described in subdivision (1) with**
 28 **respect to which a member of the household was prosecuted**
 29 **for fraud with respect to the individual's receipt of SNAP**
 30 **assistance;**

31 **(3) the:**

32 **(A) number and total amount of fraudulent SNAP**
 33 **payments and expenditures; and**

34 **(B) proportion that the number and total amount of SNAP**
 35 **payments and expenditures described under clause (A)**
 36 **bears to the number and total amount of SNAP payments**
 37 **and expenditures;**

38 **(4) the total amount of SNAP funds expended through EBT**
 39 **transactions by Indiana residents receiving SNAP assistance**
 40 **that occurred in states other than Indiana; and**

41 **(5) the amount of fraudulent SNAP payments and**
 42 **expenditures recovered.**



1 SECTION 9. IC 12-15-1-23 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2022]: **Sec. 23. (a) The:**

4 **(1) office of the secretary:**

5 **(A) shall enter into an information sharing agreement with**
 6 **the state lottery commission that allows the office of the**
 7 **secretary to identify an individual who:**

8 **(i) is receiving Medicaid; and**

9 **(ii) receives a prize payment from the state lottery**
 10 **commission under IC 4-30 in an amount greater than the**
 11 **amount of the maximum allowable liquid and non-liquid**
 12 **financial resources specified by 7 CFR 273.8(b) for**
 13 **households that include one (1) or more members who**
 14 **are elderly or have a disability; and**

15 **(B) shall forward information regarding an individual**
 16 **identified by the office of the secretary under clause (A) to**
 17 **the local office of the individual's county of residence; and**

18 **(2) local office that receives information regarding an**
 19 **individual under subdivision (1)(B) shall determine the degree**
 20 **to which the prize payment changes the eligibility of the**
 21 **individual's household for Medicaid.**

22 **An individual who is receiving Medicaid and is found under this**
 23 **subsection to have failed to report lottery winnings to the office of**
 24 **the secretary for purposes of the individual's Medicaid eligibility**
 25 **presumptively commits an intentional Medicaid program violation.**

26 **(b) The:**

27 **(1) office of the secretary:**

28 **(A) shall enter into an information sharing agreement with**
 29 **the state department of health that allows the office of the**
 30 **secretary to identify individuals receiving Medicaid who**
 31 **have died; and**

32 **(B) shall, at least once each month:**

33 **(i) review the information provided to the office of the**
 34 **secretary under clause (A) to identify individuals**
 35 **receiving Medicaid who have died; and**

36 **(ii) forward information regarding an individual**
 37 **identified under item (i) to the local office of the**
 38 **individual's county of residence; and**

39 **(2) local office that receives information regarding an**
 40 **individual under subdivision (1)(B)(ii) shall determine the**
 41 **degree to which the death of the individual changes the**
 42 **eligibility of the individual's household for Medicaid.**



- 1 (c) The:
 2 (1) office of the secretary:
 3 (A) shall enter into an information sharing agreement with
 4 the department of workforce development that allows the
 5 office of the secretary to determine whether:
 6 (i) wage and employment information; or
 7 (ii) unemployment benefit information;
 8 has changed with regard to an individual receiving
 9 Medicaid;
 10 (B) shall, at least once every three (3) months:
 11 (i) review the information received by the office of the
 12 secretary under subdivision (1)(A)(i) to identify
 13 individuals receiving Medicaid for whom information
 14 described in subdivision (1)(A)(i) has changed; and
 15 (ii) forward the findings of the office of the secretary
 16 under item (i) to the local office of the county of
 17 residence of the individual identified under item (i) to
 18 whom the findings pertain; and
 19 (C) shall, at least once every two (2) months:
 20 (i) review the information received by the office of the
 21 secretary under subdivision (1)(A)(ii) to identify
 22 individuals receiving Medicaid for whom information
 23 described in subdivision (1)(A)(ii) has changed; and
 24 (ii) forward the findings of the office of the secretary
 25 under item (i) to the local office of the county of
 26 residence of the individual identified under item (i) to
 27 whom the findings pertain; and
 28 (2) local office that receives information regarding an
 29 individual under subdivision (1)(B)(ii) or (1)(C)(ii) shall
 30 determine the degree to which the information changes the
 31 eligibility of the individual's household for Medicaid.
 32 (d) The:
 33 (1) office of the secretary shall, not less than once each month:
 34 (A) review information received by the office of the
 35 secretary in the immediately preceding month regarding
 36 an individual receiving Medicaid, including records of the
 37 individual's electronic benefits transfer transactions under
 38 IC 12-13-14;
 39 (B) determine whether the information described in clause
 40 (A) contains evidence of a change in the individual's
 41 residency; and
 42 (C) forward the findings of the office of the secretary with



- 1 regard to a change in an individual's residency under
 2 clause (B) to the local office of the individual's county of
 3 residence; and
 4 (2) local office shall determine the degree to which the
 5 information received by the local office regarding an
 6 individual under subdivision (1)(C) changes the eligibility of
 7 the individual's household for Medicaid.
- 8 (e) The:
- 9 (1) office of the secretary:
- 10 (A) shall enter into an information sharing agreement with
 11 the department of state revenue that allows the office of
 12 the secretary to determine whether information reported
 13 to the department of state revenue for tax purposes by an
 14 individual receiving Medicaid has changed; and
 15 (B) shall, at least once every three (3) months:
- 16 (i) review the information received by the office of the
 17 secretary under clause (A) to identify individuals
 18 receiving Medicaid for whom information described in
 19 clause (A) has changed; and
 20 (ii) forward the findings of the office of the secretary
 21 under item (i) to the local office of the county of
 22 residence of the individual identified under item (i) to
 23 whom the findings pertain; and
- 24 (2) local office that receives information regarding an
 25 individual under subdivision (1)(B)(ii) shall determine the
 26 degree to which the information changes the eligibility of the
 27 individual's household for Medicaid.
- 28 (f) The:
- 29 (1) office of the secretary:
- 30 (A) shall enter into an information sharing agreement with
 31 the department of correction that allows the office of the
 32 secretary to determine whether an individual receiving
 33 Medicaid is incarcerated;
- 34 (B) shall, at least once each month:
- 35 (i) review the information received by the office of the
 36 secretary under clause (A) to identify individuals
 37 receiving Medicaid who are incarcerated; and
 38 (ii) forward the findings of the office of the secretary
 39 under item (i) to the local office of the county of
 40 residence of the individual identified under item (i) to
 41 whom the findings pertain; and
- 42 (2) local office that receives information regarding an



1 individual under subdivision (1)(B)(ii) shall determine the
 2 degree to which the information changes the eligibility of the
 3 individual's household for Medicaid.

4 (g) If the office of the secretary receives information under this
 5 section:

- 6 (1) regarding an individual receiving Medicaid; and
 7 (2) indicating a change in circumstances affecting the
 8 individual's continued eligibility for Medicaid;

9 the local office of the county of residence of the individual shall
 10 review the Medicaid eligibility of the individual and the
 11 individual's household.

12 (h) The office of the secretary may enter into an agreement with
 13 any other public or private entity for purposes of obtaining
 14 information pertinent to the determination of the continuing
 15 Medicaid eligibility of individuals receiving Medicaid.

16 (i) The office of the secretary shall adopt rules under IC 4-2-22
 17 necessary to implement this section.

18 SECTION 10. IC 12-15-1-24 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2022]: Sec. 24. (a) Not later than January 1,
 21 2023, the office of the secretary shall request approval from the
 22 United States Secretary of Health and Human Services under a
 23 section 1115 demonstration waiver to:

- 24 (1) deny benefits under; and
 25 (2) prohibit reenrollment in;

26 Medicaid for not less than six (6) months for a nondisabled,
 27 nonpregnant individual not less than nineteen (19) years of age and
 28 not more than sixty-four (64) years of age who fails to report to the
 29 office of the secretary changes in circumstances that affect the
 30 individual's Medicaid eligibility.

31 (b) If a request submitted by the office of the secretary under
 32 subsection (a) is denied by the United States Secretary of Health
 33 and Human Services, the office of the secretary shall submit a new
 34 request under subsection (a):

- 35 (1) not later than twenty-four (24) months after the denial;
 36 and
 37 (2) not later than twenty-four (24) months after any
 38 subsequent denial.

39 SECTION 11. IC 12-15-1-25 IS ADDED TO THE INDIANA
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2022]: Sec. 25. At least once every three (3)
 42 months, the office of the secretary shall post on the office of the



1 secretary's Internet web site aggregated, nonconfidential,
2 nonidentifying information regarding the office of the secretary's
3 findings of noncompliance and fraud with regard to the Medicaid
4 program during the immediately preceding three (3) calendar
5 months, including:

- 6 (1) the number of households investigated for intentional
- 7 program violations or fraud;
- 8 (2) the number of households described in subdivision (1) with
- 9 respect to which a member of the household was prosecuted
- 10 for Medicaid fraud;
- 11 (3) the:
 - 12 (A) number and total amount of fraudulent Medicaid
 - 13 payments and expenditures; and
 - 14 (B) proportion that the number and total amount of
 - 15 Medicaid payments and expenditures described under
 - 16 clause (A) bears to the number and total amount of
 - 17 Medicaid payments and expenditures; and
 - 18 (4) the amount of fraudulent Medicaid payments and
 - 19 expenditures recovered.

20 SECTION 12. IC 12-15-2-2 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The county office
22 shall determine eligibility and shall certify to the office at the time and
23 in the manner required by the office a list of individuals who have been
24 found eligible to receive Medicaid and the effective date for the
25 payment of assistance under this chapter. The date must be one (1)
26 month before the first day of the month in which the application or
27 request is made.

28 (b) A county office may not determine an individual's eligibility
29 for Medicaid based solely on a determination regarding the
30 individual's eligibility for Medicaid made by a health benefit
31 exchange established under 42 U.S.C. 18041(c).

32 (c) A county office may not accept for purposes of determining
33 an individual's eligibility for Medicaid the individual's attestation
34 as to the individual's income, age, household composition, status as
35 a caretaker, familial relationships, or receipt of benefits under
36 another state or federal assistance program.

37 (d) A county office shall periodically review available sources of
38 income data to determine the continuing eligibility of individuals
39 found by the county office to be eligible for Medicaid. A county
40 office may not request authority to waive the county office's
41 obligation under this subsection.

42 SECTION 13. IC 16-37-1-10, AS AMENDED BY P.L.138-2019,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2022]: Sec. 10. (a) Information contained in a birth record is
3 confidential and may be disclosed only in accordance with this article.

4 (b) Except as provided in subsections (c) and (d), the records and
5 files of the division of the state department concerning vital statistics
6 are subject to this article and rules of the state department. Data
7 contained in the records and files may be disclosed only as follows:

8 (1) The state registrar shall permit inspection of the records or
9 issue a certified copy of a certificate or part of a certificate only
10 if the state registrar is satisfied of the following:

11 (A) That the applicant has a direct interest in the matter
12 recorded.

13 (B) That the information is necessary for the determination of
14 personal or property rights or for compliance with state or
15 federal law.

16 The state registrar's decision is subject to review by the state
17 department or a court under this section.

18 (2) The state department may disclose identifiable vital statistics
19 information to a legitimate researcher, if the researcher complies
20 with the following requirements:

21 (A) The researcher states in writing to the state department the
22 purpose, including:

23 (i) any intent to publish findings;

24 (ii) the nature of the data sought;

25 (iii) the personal information that would be required; and

26 (iv) the safeguards that will be taken to protect the identity
27 of the data subjects.

28 (B) The researcher executes an agreement with the state
29 department, on a form approved by the oversight committee on
30 public records established under IC 5-15-5.1-18, that:

31 (i) incorporates safeguards for protection of individual data
32 subjects;

33 (ii) defines the scope of the research project; and

34 (iii) informs the researcher that failure to abide by
35 conditions of the approved agreement constitutes a breach
36 of contract and could result in civil litigation by any data
37 subject.

38 (C) The researcher agrees to pay any direct or indirect costs of
39 the research.

40 The state department shall determine whether the proposed
41 safeguards are adequate to prevent the identity of an individual
42 data subject from being known before approving the agreement.



1 Upon execution of an agreement described in this subdivision, the
2 state department shall maintain a copy of the agreement for the
3 duration of the agreement's effective date.

4 (3) In any extraordinary case that the state registrar determines is
5 a direct tangible and legitimate public interest.

6 (c) Notwithstanding subsection (b)(1) through (b)(3), a certificate
7 of death received by a local health department (as defined in
8 IC 16-18-2-211) or the state department is a public record that, upon
9 request, must be made available for inspection and copying if:

10 (1) the copy made of the certificate of death is not a certified
11 copy;

12 (2) any Social Security number that appears on the certificate of
13 death is redacted; and

14 (3) any charge or fee that is due under section 9, 11, or 11.5 of
15 this chapter is collected.

16 (d) The birth record of an adopted child remains subject to the
17 confidentiality provisions of IC 31-19 regarding the release of adoption
18 information.

19 (e) The state registrar may deny a request to inspect or copy a record
20 concerning vital statistics that is in the state registrar's possession if the
21 state registrar has a reasonable suspicion that releasing the record may
22 result in fraud or identity theft.

23 **(f) The state department shall enter into an information sharing**
24 **agreement with the division of family resources under**
25 **IC 12-14-30-7(b) under which the department shall, not less than**
26 **once each month, provide to the division of family resources such**
27 **information as necessary for the division of family resources to**
28 **comply with IC 12-14-30-7(b).**

29 **(g) The state department shall enter into an information sharing**
30 **agreement with the office of the secretary of family and social**
31 **services under IC 12-15-1-23(b) under which the state department**
32 **shall provide to the office of the secretary of family and social**
33 **services such information as necessary for the office of the**
34 **secretary of family and social services to comply with**
35 **IC 12-15-1-23(b).**

36 SECTION 14. IC 22-4.1-2-4 IS ADDED TO THE INDIANA CODE
37 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
38 1, 2022]: **Sec. 4. (a) The department shall enter into an information**
39 **sharing agreement with the division of family resources under**
40 **IC 12-14-30-7(c) under which the department:**

41 **(1) shall, not less than once every three (3) months, provide to**
42 **the division of family resources such information regarding**



1 wages and employment; and
2 (2) shall, not less than once every two (2) months, provide to
3 the division of family resources such information regarding
4 payment of unemployment benefits;
5 as necessary for the division of family resources to comply with
6 IC 12-14-30-7(c).
7 (b) The department shall enter into an information sharing
8 agreement with the office of the secretary of family and social
9 services under IC 12-15-1-23(c) under which the department:
10 (1) shall, not less than once every three (3) months, provide to
11 the office of the secretary of family and social services such
12 information regarding wages and employment; and
13 (2) shall, not less than once every two (2) months, provide to
14 the office of the secretary of family and social services such
15 information regarding payment of unemployment benefits;
16 as necessary for the office of the secretary of family and social
17 services to comply with IC 12-15-1-23(c).

