

SENATE BILL No. 169

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-110.7; IC 12-10.

Synopsis: Housing with services establishment disclosures. Requires housing with services establishments to make certain disclosures concerning Alzheimer's and dementia special care and file the disclosure with the division of aging. Requires the division of aging to publish the disclosures.

Effective: July 1, 2021.

Ford J.D.

January 5, 2021, read first time and referred to Committee on Health and Provider Services.



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.

SENATE BILL No. 169

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 12-7-2-110.7, AS AMENDED BY P.L.173-2018,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 110.7. "Housing with services establishment", for
4 purposes of **IC 12-10-5.5**, IC 12-10-11.5, and IC 12-10-15, has the
5 meaning set forth in IC 12-10-15-3.

6 SECTION 2. IC 12-10-5.5-2.5 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2021]: **Sec. 2.5. As used in this chapter,**
9 **"housing with services establishment" has the meaning set forth in**
10 **IC 12-10-15-3.**

11 SECTION 3. IC 12-10-5.5-3 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. A health facility **and**
13 **a housing with services establishment** that provides or offers
14 Alzheimer's and dementia special care **or programing** shall prepare a
15 written disclosure in a form provided by the division that has been
16 developed in conjunction with the long term care ombudsman's office
17 and that contains the following information:



- 1 (1) The health facility's **or housing with services**
 2 **establishment's** mission or philosophy statement concerning the
 3 needs of residents with Alzheimer's disease, a related disorder, or
 4 dementia.
- 5 (2) The process and criteria the health facility **or housing with**
 6 **services establishment** uses to determine placement, transfer, or
 7 discharge from Alzheimer's and dementia special care.
- 8 (3) The process for the assessment, establishment, and
 9 implementation of a plan of Alzheimer's and dementia special
 10 care, including how and when changes are made to a plan of care.
- 11 (4) **For a health facility**, the following information concerning
 12 the staff of the Alzheimer's and dementia special care unit:
 13 (A) The staff-to-patient ratio for each shift.
 14 (B) The positions and classifications of staff.
 15 (C) The initial training or special education requirements of
 16 the staff.
 17 (D) The qualities and amount of continuing education and
 18 in-service training required for staff.
- 19 (5) **For a health facility**, a description of the Alzheimer's and
 20 dementia special care unit and the unit's design features.
- 21 (6) The frequency and types of activities for the residents of the
 22 **health facility or housing with services establishment** who have
 23 Alzheimer's disease, a related disorder, or dementia.
- 24 (7) The extent that the health facility's Alzheimer's and dementia
 25 special care unit and program **or housing with services**
 26 **establishment's program** offers family support programs and
 27 solicits input from family members.
- 28 (8) **For a health facility**, guidelines for using physical and
 29 chemical restraints in providing Alzheimer's and dementia special
 30 care.
- 31 (9) An itemization of the health facility's **or housing with**
 32 **services establishment's** charges and fees for Alzheimer's and
 33 dementia special care and related services.
- 34 (10) Any other features, services, or characteristics that the health
 35 facility **or housing with services establishment** believes
 36 distinguishes the health facility **or housing with services**
 37 **establishment** from Alzheimer's and dementia special care
 38 offered by other facilities **and establishments**.
- 39 (11) **For a housing with services establishment, the following**
 40 **information:**
 41 (A) **The staff-to-resident ratio for each shift.**
 42 (B) **The positions and classifications of staff.**



1 **(C) The initial training or special education requirements**
 2 **of the staff.**

3 **(D) Any special design features for the provision of care of**
 4 **individuals with Alzheimer's and dementia.**

5 SECTION 4. IC 12-10-5.5-4 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. A health facility **and**
 7 **a housing with services establishment** shall do the following with the
 8 disclosure form required under section 3 of this chapter:

- 9 (1) Submit the form to the division in December of each year.
 10 (2) Make the form available to any individual seeking information
 11 on services for an individual with Alzheimer's disease or a related
 12 disorder.

13 SECTION 5. IC 12-10-5.5-5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The division shall do
 15 the following with the disclosure form received from each health
 16 facility **and housing with services establishment** under section 4 of
 17 this chapter:

- 18 (1) Make the form available to any individual upon request.
 19 (2) Publish all the disclosure forms before February of each year
 20 in a single publication to disseminate to the public upon request.

21 SECTION 6. IC 12-10-15-10 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. **(a)** Unless extended
 23 by the written consent of the director, each year after the initial year in
 24 which an operator has filed a disclosure document under section 7 of
 25 this chapter, the operator shall file with the director within four (4)
 26 months after the end of the operator's fiscal year an annual disclosure
 27 document.

28 **(b) The operator shall file with the division the disclosure**
 29 **required in IC 12-10-5.5.**

