

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 ENROLLED ACT No. 169

AN ACT to amend the Indiana Code concerning human services.

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

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

SECTION 2. IC 12-10-5.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. As used in this chapter, "Alzheimer's and dementia special care" means care provided to a person diagnosed with Alzheimer's disease, a related disorder, or dementia who resides in a health facility **or a housing with services establishment** that:

- (1) locks, secures, segregates, or provides a special program or special unit for residents with Alzheimer's disease, related disorders, or dementia; and
- (2) advertises, markets, or promotes the health facility as providing Alzheimer's care services, dementia care services, or both.

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

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SECTION 4. IC 12-10-5.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. A health facility **and a housing with services establishment** that provides or offers Alzheimer's and dementia special care **or programing** shall prepare a written disclosure in a form provided by the division that has been developed in conjunction with the long term care ombudsman's office and that contains the following information:

- (1) The health facility's **or housing with services establishment's** mission or philosophy statement concerning the needs of residents with Alzheimer's disease, a related disorder, or dementia.
- (2) The process and criteria the health facility **or housing with services establishment** uses to determine placement, transfer, or discharge from Alzheimer's and dementia special care.
- (3) The process for the assessment, establishment, and implementation of a plan of Alzheimer's and dementia special care, including how and when changes are made to a plan of care.
- (4) The following information concerning the staff of the Alzheimer's and dementia special care unit:
 - (A) The staff-to-patient ratio for each shift.
 - (B) The positions and classifications of staff.
 - (C) The initial training or special education requirements of the staff.
 - (D) The qualities and amount of continuing education and in-service training required for staff.
- (5) A description of the Alzheimer's and dementia special care unit and the unit's design features.
- (6) The frequency and types of activities for the residents of the **health facility or housing with services establishment** who have Alzheimer's disease, a related disorder, or dementia.
- (7) The extent that the health facility's Alzheimer's and dementia special care unit and program **or housing with services establishment's program** offers family support programs and solicits input from family members.
- (8) Guidelines for using physical and chemical restraints in providing Alzheimer's and dementia special care.
- (9) An itemization of the health facility's **or housing with services establishment's** charges and fees for Alzheimer's and dementia special care and related services.
- (10) Any other features, services, or characteristics that the health facility **or housing with services establishment** believes distinguishes the health facility **or housing with services**



establishment from Alzheimer's and dementia special care offered by other facilities **and establishments**.

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

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

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

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



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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