

SENATE BILL No. 234

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-54-7; IC 6-8.1-7-1; IC 12-15; IC 16-19-3-19; IC 22-4-19-6.

Synopsis: Medicaid matters. Requires the office of the secretary of family and social services (office) to report specified Medicaid data to the Medicaid oversight committee. Requires the office to receive and review data from specified federal and state agencies concerning Medicaid recipients to determine whether circumstances have changed that affect Medicaid eligibility for recipients. Prohibits the office from accepting self-attestations of certain information in the administration of the Medicaid program. Requires the office to apply for a Medicaid state plan amendment to remove references to coverage under the Medicaid plan of a certain population. Requires the office to establish: (1) performance standards for hospitals that make presumptive eligibility determinations and sets out action for when hospitals do not comply with the standards; and (2) an appeals procedure for hospitals that dispute the violation determination. Modifies eligibility categories and requirements for the healthy Indiana plan (plan). Specifies limitations for enrollment in the plan.

Effective: Upon passage; July 1, 2025.

Johnson T, Charbonneau

January 13, 2025, read first time and referred to Committee on Health and Provider Services.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 234



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

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

1 SECTION 1. IC 2-5-54-7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 7. Before October 1 of each year, the office of the**
4 **secretary of family and social services shall report the following**
5 **aggregate, nonconfidential, and nonpersonally identifying**
6 **information to the oversight committee concerning the Medicaid**
7 **program for the previous calendar year:**

- 8 (1) **Improper Medicaid payments and expenditures.**
- 9 (2) **Federal and state recovered funds.**
- 10 (3) **Aggregate data concerning improper payments and**
- 11 **ineligible Medicaid recipients who received Medicaid services**
- 12 **as a percentage of those investigated or reviewed.**

13 **The report must be in an electronic format under IC 5-14-6.**

14 SECTION 2. IC 6-8.1-7-1, AS AMENDED BY P.L.118-2024,
15 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2025]: Sec. 1. (a) This subsection does not apply to the
17 disclosure of information concerning a conviction on a tax evasion



1 charge. Unless in accordance with a judicial order or as otherwise
 2 provided in this chapter, the department, its employees, former
 3 employees, counsel, agents, or any other person may not divulge the
 4 amount of tax paid by any taxpayer, terms of a settlement agreement
 5 executed between a taxpayer and the department, investigation records,
 6 investigation reports, or any other information disclosed by the reports
 7 filed under the provisions of the law relating to any of the listed taxes,
 8 including required information derived from a federal return, except to
 9 any of the following when it is agreed that the information is to be
 10 confidential and to be used solely for official purposes:

11 (1) Members and employees of the department.

12 (2) The governor.

13 (3) A member of the general assembly or an employee of the
 14 house of representatives or the senate when acting on behalf of a
 15 taxpayer located in the member's legislative district who has
 16 provided sufficient information to the member or employee for
 17 the department to determine that the member or employee is
 18 acting on behalf of the taxpayer.

19 (4) An employee of the legislative services agency to carry out the
 20 responsibilities of the legislative services agency under
 21 IC 2-5-1.1-7 or another law.

22 (5) The attorney general or any other legal representative of the
 23 state in any action in respect to the amount of tax due under the
 24 provisions of the law relating to any of the listed taxes.

25 (6) Any authorized officers of the United States.

26 (b) The information described in subsection (a) may be revealed
 27 upon the receipt of a certified request of any designated officer of the
 28 state tax department of any other state, district, territory, or possession
 29 of the United States when:

30 (1) the state, district, territory, or possession permits the exchange
 31 of like information with the taxing officials of the state; and

32 (2) it is agreed that the information is to be confidential and to be
 33 used solely for tax collection purposes.

34 (c) The information described in subsection (a) relating to a person
 35 on public welfare or a person who has made application for public
 36 welfare may be revealed to the **office of the secretary of family and**
 37 **social services for purposes of IC 12-15-1-24**, the director of the
 38 division of family resources, and to any director of a county office of
 39 the division of family resources located in Indiana, upon receipt of a
 40 written request from either director for the information. The
 41 information shall be treated as confidential by the **office and the**
 42 directors. In addition, the information described in subsection (a)



1 relating to a person who has been designated as an absent parent by the
2 state Title IV-D agency shall be made available to the state Title IV-D
3 agency upon request. The information shall be subject to the
4 information safeguarding provisions of the state and federal Title IV-D
5 programs.

6 (d) The name, address, Social Security number, and place of
7 employment relating to any individual who is delinquent in paying
8 educational loans owed to a postsecondary educational institution may
9 be revealed to that institution if it provides proof to the department that
10 the individual is delinquent in paying for educational loans. This
11 information shall be provided free of charge to approved postsecondary
12 educational institutions (as defined by IC 21-7-13-6(a)). The
13 department shall establish fees that all other institutions must pay to the
14 department to obtain information under this subsection. However, these
15 fees may not exceed the department's administrative costs in providing
16 the information to the institution.

17 (e) The information described in subsection (a) relating to reports
18 submitted under IC 6-6-1.1-502 concerning the number of gallons of
19 gasoline sold by a distributor and IC 6-6-2.5 concerning the number of
20 gallons of special fuel sold by a supplier and the number of gallons of
21 special fuel exported by a licensed exporter or imported by a licensed
22 transporter may be released by the commissioner upon receipt of a
23 written request for the information.

24 (f) The information described in subsection (a) may be revealed
25 upon the receipt of a written request from the administrative head of a
26 state agency of Indiana when:

- 27 (1) the state agency shows an official need for the information;
28 and
29 (2) the administrative head of the state agency agrees that any
30 information released will be kept confidential and will be used
31 solely for official purposes.

32 (g) The information described in subsection (a) may be revealed
33 upon the receipt of a written request from the chief law enforcement
34 officer of a state or local law enforcement agency in Indiana when it is
35 agreed that the information is to be confidential and to be used solely
36 for official purposes.

37 (h) The name and address of retail merchants, including township,
38 as specified in IC 6-2.5-8-1(k) may be released solely for tax collection
39 purposes to township assessors and county assessors.

40 (i) The department shall notify the appropriate innkeeper's tax
41 board, bureau, or commission that a taxpayer is delinquent in remitting
42 innkeepers' taxes under IC 6-9.



1 (j) All information relating to the delinquency or evasion of the
 2 vehicle excise tax may be disclosed to the bureau of motor vehicles in
 3 Indiana and may be disclosed to another state, if the information is
 4 disclosed for the purpose of the enforcement and collection of the taxes
 5 imposed by IC 6-6-5.

6 (k) All information relating to the delinquency or evasion of
 7 commercial vehicle excise taxes payable to the bureau of motor
 8 vehicles in Indiana may be disclosed to the bureau and may be
 9 disclosed to another state, if the information is disclosed for the
 10 purpose of the enforcement and collection of the taxes imposed by
 11 IC 6-6-5.5.

12 (l) All information relating to the delinquency or evasion of
 13 commercial vehicle excise taxes payable under the International
 14 Registration Plan may be disclosed to another state, if the information
 15 is disclosed for the purpose of the enforcement and collection of the
 16 taxes imposed by IC 6-6-5.5.

17 (m) All information relating to the delinquency or evasion of the
 18 excise taxes imposed on recreational vehicles and truck campers that
 19 are payable to the bureau of motor vehicles in Indiana may be disclosed
 20 to the bureau and may be disclosed to another state if the information
 21 is disclosed for the purpose of the enforcement and collection of the
 22 taxes imposed by IC 6-6-5.1.

23 (n) This section does not apply to:

- 24 (1) the beer excise tax, including brand and packaged type (IC
- 25 7.1-4-2);
- 26 (2) the liquor excise tax (IC 7.1-4-3);
- 27 (3) the wine excise tax (IC 7.1-4-4);
- 28 (4) the hard cider excise tax (IC 7.1-4-4.5);
- 29 (5) the vehicle excise tax (IC 6-6-5);
- 30 (6) the commercial vehicle excise tax (IC 6-6-5.5); and
- 31 (7) the fees under IC 13-23.

32 (o) The name and business address of retail merchants within each
 33 county that sell tobacco products may be released to the division of
 34 mental health and addiction and the alcohol and tobacco commission
 35 solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

36 (p) The name and business address of a person licensed by the
 37 department under IC 6-6 or IC 6-7, or issued a registered retail
 38 merchant's certificate under IC 6-2.5, may be released for the purpose
 39 of reporting the status of the person's license or certificate.

40 (q) The department may release information concerning total
 41 incremental tax amounts under:

- 42 (1) IC 5-28-26;



- 1 (2) IC 36-7-13;
 2 (3) IC 36-7-26;
 3 (4) IC 36-7-27;
 4 (5) IC 36-7-31;
 5 (6) IC 36-7-31.3; or
 6 (7) any other statute providing for the calculation of incremental
 7 state taxes that will be distributed to or retained by a political
 8 subdivision or other entity;
 9 to the fiscal officer of the political subdivision or other entity that
 10 established the district or area from which the incremental taxes were
 11 received if that fiscal officer enters into an agreement with the
 12 department specifying that the political subdivision or other entity will
 13 use the information solely for official purposes.
- 14 (r) The department may release the information as required in
 15 IC 6-8.1-3-7.1 concerning:
 16 (1) an innkeeper's tax, a food and beverage tax, or an admissions
 17 tax under IC 6-9;
 18 (2) the supplemental auto rental excise tax under IC 6-6-9.7; and
 19 (3) the covered taxes allocated to a professional sports
 20 development area fund, sports and convention facilities operating
 21 fund, or other fund under IC 36-7-31 and IC 36-7-31.3.
- 22 (s) Information concerning state gross retail tax exemption
 23 certificates that relate to a person who is exempt from the state gross
 24 retail tax under IC 6-2.5-4-5 may be disclosed to a power subsidiary (as
 25 defined in IC 6-2.5-1-22.5) or a person selling the services or
 26 commodities listed in IC 6-2.5-4-5 for the purpose of enforcing and
 27 collecting the state gross retail and use taxes under IC 6-2.5.
- 28 (t) The department may release a statement of tax withholding or
 29 other tax information statement provided on behalf of a taxpayer to the
 30 department to:
 31 (1) the taxpayer on whose behalf the tax withholding or other tax
 32 information statement was provided to the department;
 33 (2) the taxpayer's spouse, if:
 34 (A) the taxpayer is deceased or incapacitated; and
 35 (B) the taxpayer's spouse is filing a joint income tax return
 36 with the taxpayer; or
 37 (3) an administrator, executor, trustee, or other fiduciary acting on
 38 behalf of the taxpayer if the taxpayer is deceased.
- 39 (u) Information related to a listed tax regarding a taxpayer may be
 40 disclosed to an individual without a power of attorney under
 41 IC 6-8.1-3-8(a)(2) if:
 42 (1) the individual is authorized to file returns and remit payments



- 1 for one (1) or more listed taxes on behalf of the taxpayer through
- 2 the department's online tax system before September 8, 2020;
- 3 (2) the information relates to a listed tax described in subdivision
- 4 (1) for which the individual is authorized to file returns and remit
- 5 payments;
- 6 (3) the taxpayer has been notified by the department of the
- 7 individual's ability to access the taxpayer's information for the
- 8 listed taxes described in subdivision (1) and the taxpayer has not
- 9 objected to the individual's access;
- 10 (4) the individual's authorization or right to access the taxpayer's
- 11 information for a listed tax described in subdivision (1) has not
- 12 been withdrawn by the taxpayer; and
- 13 (5) disclosure of the information to the individual is not
- 14 prohibited by federal law.

15 Except as otherwise provided by this article, this subsection does not
16 authorize the disclosure of any correspondence from the department
17 that is mailed or otherwise delivered to the taxpayer relating to the
18 specified listed taxes for which the individual was given authorization
19 by the taxpayer. The department shall establish a date, which may be
20 earlier but not later than September 1, 2023, after which a taxpayer's
21 information concerning returns and remittances for a listed tax may not
22 be disclosed to an individual without a power of attorney under
23 IC 6-8.1-3-8(a)(2) by providing notice to the affected taxpayers and
24 previously authorized individuals, including notification published on
25 the department's website. After the earlier of the date established by the
26 department or September 1, 2023, the department may not disclose a
27 taxpayer's information concerning returns and remittances for a listed
28 tax to an individual unless the individual has a power of attorney under
29 IC 6-8.1-3-8(a)(2) or the disclosure is otherwise allowed under this
30 article.

31 (v) The department may publish a list of persons, corporations, or
32 other entities that qualify or have qualified for an exemption for sales
33 tax under IC 6-2.5-5-16, IC 6-2.5-5-25, or IC 6-2.5-5-26, or otherwise
34 provide information regarding a person's, corporation's, or entity's
35 exemption status under IC 6-2.5-5-16, IC 6-2.5-5-25, or IC 6-2.5-5-26.
36 For purposes of this subsection, information that may be disclosed
37 includes:

- 38 (1) any federal identification number or other identification
- 39 number for the entity assigned by the department;
- 40 (2) any expiration date of an exemption under IC 6-2.5-5-25;
- 41 (3) whether any sales tax exemption has expired or has been
- 42 revoked by the department; and



1 (4) any other information reasonably necessary for a recipient of
 2 an exemption certificate to determine if an exemption certificate
 3 is valid.

4 (w) The department may share a taxpayer's name and other personal
 5 identification information with a tax preparer or tax preparation
 6 software provider in cases where the department suspects that a
 7 fraudulent return has been filed on behalf of a taxpayer and the
 8 department suspects that the system of a taxpayer's previous year tax
 9 preparer or tax preparation software provider has been breached.

10 SECTION 3. IC 12-15-1-24 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2025]: **Sec. 24. (a) Except as required under federal law, the**
 13 **office of the secretary may not accept self-attestation of any of the**
 14 **following in the administration of the Medicaid program:**

15 (1) **Income.**

16 (2) **Residency.**

17 (3) **Age.**

18 (4) **Household composition.**

19 (5) **Caretaker or relative status.**

20 (6) **Receipt of other coverage without verification before**
 21 **enrollment.**

22 (b) **The office of the secretary shall enter into a data matching**
 23 **agreement with:**

24 (1) **the state lottery commission; and**

25 (2) **the Indiana gaming commission;**

26 **to, on at least a monthly basis, identify individuals receiving**
 27 **Medicaid assistance with lottery and gambling winnings of at least**
 28 **three thousand dollars (\$3,000). Upon verification of any winnings**
 29 **resulting in the individual no longer being eligible for Medicaid,**
 30 **the office of the secretary shall terminate the individual's**
 31 **enrollment.**

32 (c) **On at least a monthly basis, the office of the secretary shall**
 33 **review vital statistics information provided by the Indiana**
 34 **department of health under IC 16-19-3-19 to determine removal of**
 35 **deceased individuals from Medicaid enrollment.**

36 (d) **On at least a quarterly basis, the office of the secretary shall**
 37 **receive and review information from the department of state**
 38 **revenue and the department of workforce development concerning**
 39 **Medicaid recipients that indicates a change in circumstances that**
 40 **may affect eligibility, including changes to employment or wages.**

41 (e) **On at least an annual basis, the office of the secretary shall**
 42 **receive and review information from the department of state**



1 revenue concerning Medicaid recipients that indicates a change in
2 circumstances that may affect Medicaid eligibility.

3 (f) On at least a monthly basis, the office of the secretary shall
4 review information concerning Medicaid recipients who also
5 receive SNAP to determine whether there has been any change in
6 circumstances that may affect Medicaid eligibility, including a
7 change in residency as may be identified through electronic benefit
8 transfer program transactions.

9 (g) On at least a monthly basis, the office of the secretary shall
10 receive and review information from the department of correction
11 concerning Medicaid recipients that may indicate a change in
12 circumstances that may affect Medicaid eligibility.

13 SECTION 4. IC 12-15-1-25 IS ADDED TO THE INDIANA CODE
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2025]: **Sec. 25. (a) Unless prohibited by federal law and on at
16 least a monthly basis, the office of the secretary shall review the
17 following to assess continuous eligibility of Medicaid recipients:**

18 (1) **The following information maintained by the United States
19 Social Security Administration:**

- 20 (A) **Earned income information.**
- 21 (B) **Death register information.**
- 22 (C) **Incarceration records.**
- 23 (D) **Supplemental security income information.**
- 24 (E) **Beneficiary records.**
- 25 (F) **Earnings information.**
- 26 (G) **Pension information.**

27 (2) **The following information maintained by the United States
28 Department of Health and Human Services:**

- 29 (A) **Income and employment information maintained in the
30 national directory of new hires data base.**
- 31 (B) **Child support enforcement data.**

32 (3) **Change of address information maintained by the United
33 States Postal Service.**

34 (4) **Payment and earnings information maintained by the
35 United States Department of Housing and Urban
36 Development.**

37 (5) **National fleeing felon information maintained by the
38 United States Federal Bureau of Investigation.**

39 (6) **Tax filing information maintained by the United States
40 Department of the Treasury.**

41 (b) **The office of the secretary may contract with an independent
42 third party for additional data base searches that may contain**



1 information that indicates a change in circumstances that may
2 affect Medicaid applicant or recipient eligibility.

3 SECTION 5. IC 12-15-1.3-4.3 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: **Sec. 4.3. (a) Before July 1, 2025,**
6 **the office of the secretary shall apply to the United States**
7 **Department of Health and Human Services for an amendment to**
8 **the state Medicaid plan that removes references to coverage under**
9 **the state Medicaid plan of the population described in 42 CFR**
10 **435.119.**

11 (b) The office of the secretary may delay the effective date of a
12 state plan amendment described in subsection (a) during the time
13 that the office of the secretary is negotiating with the United States
14 Department of Health and Human Services for a state Medicaid
15 waiver covering the population described in subsection (a).
16 However, the office of the secretary may not delay later than June
17 30, 2026, the implementation of a state plan amendment requested
18 under this section and authorized by the United States Department
19 of Health and Human Services.

20 SECTION 6. IC 12-15-4-1.5 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2025]: **Sec. 1.5. (a) The office of the secretary shall establish the**
23 **following:**

24 (1) Performance standards for hospitals to use in making
25 presumptive eligibility determinations.

26 (2) An appeals process for a hospital that disputes a
27 determination that a presumptive eligibility was violated
28 beginning after the second finding of a presumptive eligibility
29 violation by the office of the secretary for the hospital within
30 a twelve (12) month period.

31 (b) A hospital shall do the following when making a presumptive
32 eligibility determination:

33 (1) Notify the office of the secretary of each presumptive
34 eligibility determination not later than five (5) business days
35 after the date of the determination.

36 (2) Assist individuals whom the hospital determines are
37 presumptively eligible with completing and submitting a full
38 Medicaid application.

39 (3) Notify the applicant in writing and on all relevant forms
40 with plain language and large print that if the applicant:

41 (A) does not file a full Medicaid application with the office
42 of the secretary before the last day of the following month,



1 presumptive eligibility will end on that last day; and
 2 (B) files a full Medicaid application with the office of the
 3 secretary before the last day of the following month,
 4 presumptive eligibility will continue until an eligibility
 5 determination is made concerning the application.

6 (c) The office of the secretary shall use the following
 7 performance standards to establish and ensure accurate
 8 presumptive eligibility determinations by a qualified hospital:

9 (1) Determine whether the presumptive eligibility received
 10 from the hospital complied with the time requirement set
 11 forth in subsection (b)(1).

12 (2) Determine whether the office of the secretary received
 13 before the expiration of the presumptive eligibility period the
 14 full application from the individual determined by the
 15 hospital to be presumptively eligible.

16 (3) Determine whether the applicant who was determined by
 17 the hospital to be presumptively eligible by the hospital was
 18 determined to be eligible for Medicaid after the full
 19 application was received.

20 (d) If a hospital fails for the first time to meet any of the
 21 presumptive eligibility standards under this section for a
 22 presumptive eligibility determination in a calendar year, the office
 23 of the secretary shall notify the hospital in writing not later than
 24 five (5) days after the determination of a violation is made. The
 25 notice must include the following:

26 (1) A description of the standard that was not met and an
 27 explanation of why the hospital did not meet the standard.

28 (2) Notice that a second finding on noncompliance with a
 29 standard will result in a requirement that the hospital's
 30 applicable staff participate in mandatory training on hospital
 31 presumptive eligibility rules and standards that is performed
 32 by the office of the secretary.

33 (e) If the office of the secretary determines that a hospital has
 34 failed to meet any of the presumptive eligibility standards under
 35 this section in any presumptive eligibility determination by the
 36 hospital for a second time within a twelve (12) month period of a
 37 first violation, the office of the secretary shall notify the hospital in
 38 writing not later than five (5) days after the determination that a
 39 second violation has occurred. The written notice must include the
 40 following:

41 (1) A description of the standard that was not met and an
 42 explanation of why the hospital did not meet the standard.



- 1 **(2) Notice that the hospital's applicable staff must participate**
- 2 **in mandatory training on hospital presumptive eligibility**
- 3 **rules and standards that is performed by the office of the**
- 4 **secretary, and information concerning the date, time, and**
- 5 **location of the training by the office.**
- 6 **(3) A description of the available appeal procedures that the**
- 7 **hospital may use to dispute the finding of a violation of**
- 8 **presumptive eligibility standards.**
- 9 **(4) Notice that a third violation by the hospital of a**
- 10 **presumptive eligibility standard within a twelve (12) month**
- 11 **period from the second violation will result in the hospital no**
- 12 **longer being qualified to make presumptive eligibility**
- 13 **determinations.**

14 **If a hospital appeals a finding of a violation of presumptive**
 15 **eligibility standards described in this subsection, the hospital must**
 16 **provide clear and convincing evidence during the appeals process**
 17 **that the standard was met by the hospital.**

18 **(f) If the office of the secretary determines that a hospital has**
 19 **failed to meet any of the presumptive eligibility standards under**
 20 **this section in any presumptive eligibility determination by the**
 21 **hospital for a third time within a twelve (12) month period of the**
 22 **second violation by the hospital, the office of the secretary shall**
 23 **notify the hospital in writing not later than five (5) days from a**
 24 **determination that a presumptive eligibility standard was violated**
 25 **by the hospital for the third time. The written notice must include**
 26 **the following:**

- 27 **(1) A description of the standard that was not met and an**
- 28 **explanation of why the hospital did not meet the standard.**
- 29 **(2) A description of the available appeal procedures that the**
- 30 **hospital may use to dispute the finding of a violation of**
- 31 **presumptive eligibility standards.**
- 32 **(3) Notice that, effective immediately from receipt of the**
- 33 **notice, the hospital is no longer qualified to make presumptive**
- 34 **eligibility determinations for the Medicaid program.**

35 **If a hospital appeals a finding of a violation of presumptive**
 36 **eligibility standards described in this subsection, the hospital must**
 37 **provide clear and convincing evidence during the appeals process**
 38 **that the standard was met by the hospital.**

39 SECTION 7. IC 12-15-44.5-3, AS AMENDED BY P.L.241-2023,
 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2025]: Sec. 3. (a) The healthy Indiana plan is established.
 42 (b) The office shall administer the plan.



1 (c) **Subject to section 4 of this chapter**, the following individuals
2 **are may be** eligible for the plan:

3 (1) The adult group described in 42 CFR 435.119

4 ~~(2) Parents and caretaker relatives eligible under 42 CFR 435.110.~~

5 ~~(3) Low income individuals who are:~~

6 ~~(A) at least nineteen (19) years of age; and~~

7 ~~(B) less than twenty-one (21) years of age;~~

8 ~~and eligible under 42 CFR 435.222.~~

9 ~~(4) Individuals, for purposes of receiving transitional medical~~
10 ~~assistance.~~

11 **if an individual meets the following requirements:**

12 **(A) Meets at least one (1) of the following:**

13 **(i) Is working at least twenty (20) hours per week on a**
14 **monthly average.**

15 **(ii) Is participating in and complying with the**
16 **requirements of a work program for at least twenty (20)**
17 **hours per week, as determined by the office.**

18 **(iii) Is volunteering at least twenty (20) hours per week,**
19 **as determined by the office.**

20 **(iv) Undertakes the activities described in items (i) and**
21 **(ii) for a combined total of at least twenty (20) hours per**
22 **week, as determined by the office.**

23 **(v) Participates in and complies with the requirements of**
24 **a workfare program, as determined by the office.**

25 **(vi) Receives unemployment compensation and complies**
26 **with federal and state work requirements under the**
27 **unemployment compensation system.**

28 **(vii) Participates in a substance use treatment and**
29 **rehabilitation program.**

30 **(viii) Is medically certified as physically or mentally unfit**
31 **for employment.**

32 **(ix) Is a parent or caretaker responsible for the care of a**
33 **dependent child less than six (6) years of age.**

34 **(x) Is a parent or caretaker personally providing the care**
35 **for a dependent child with a serious medical condition or**
36 **disability.**

37 **(B) Has received not more than thirty-six (36) months of**
38 **coverage under the plan.**

39 **(C) Was eligible for and enrolled in the plan on the date**
40 **the plan becomes effective after approval by the United**
41 **States Department of Health and Human Services.**

42 **(2) Is either less than nineteen (19) years of age or more than**



- 1 **sixty-four (64) years of age and meets the following:**
 2 **(A) Has received not more than thirty-six (36) months of**
 3 **coverage under the plan.**
 4 **(B) Was eligible for and enrolled in the plan on the date the**
 5 **plan becomes effective after approval by the United States**
 6 **Department of Health and Human Services.**
 7 **(3) Is pregnant and meets the following:**
 8 **(A) Has received not more than thirty-six (36) months of**
 9 **coverage under the plan.**
 10 **(B) Was eligible for and enrolled in the plan on the date the**
 11 **plan becomes effective after approval by the United States**
 12 **Department of Health and Human Services.**
 13 An individual must meet the Medicaid residency requirements under
 14 IC 12-15-4-4 and this article to be eligible for the plan.
 15 (d) The following individuals are not eligible for the plan:
 16 (1) An individual who participates in the federal Medicare
 17 program (42 U.S.C. 1395 et seq.).
 18 (2) An individual who is otherwise eligible and enrolled for
 19 medical assistance.
 20 (e) The department of insurance and the office of the secretary shall
 21 provide oversight of the marketing practices of the plan.
 22 (f) The office shall promote the plan and provide information to
 23 potential eligible individuals who live in medically underserved rural
 24 areas of Indiana.
 25 (g) The office shall, to the extent possible, ensure that enrollment in
 26 the plan is distributed throughout Indiana in proportion to the number
 27 of individuals throughout Indiana who are eligible for participation in
 28 the plan.
 29 (h) The office shall establish standards for consumer protection,
 30 including the following:
 31 (1) Quality of care standards.
 32 (2) A uniform process for participant grievances and appeals.
 33 (3) Standardized reporting concerning provider performance,
 34 consumer experience, and cost.
 35 (i) A health care provider that provides care to an individual who
 36 receives health coverage under the plan shall also participate in the
 37 Medicaid program under this article.
 38 (j) The following do not apply to the plan:
 39 (1) IC 12-15-12.
 40 (2) IC 12-15-13.
 41 (3) IC 12-15-14.
 42 (4) IC 12-15-15.



- 1 (5) IC 12-15-21.
- 2 (6) IC 12-15-26.
- 3 (7) IC 12-15-31.1.
- 4 (8) IC 12-15-34.
- 5 (9) IC 12-15-35.
- 6 (10) IC 16-42-22-10.
- 7 SECTION 8. IC 12-15-44.5-4, AS AMENDED BY P.L.30-2016,
- 8 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2025]: Sec. 4. (a) The plan:
- 10 (1) is not an entitlement program; ~~and~~
- 11 (2) serves as an alternative to health care coverage under Title
- 12 XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.);
- 13 **(3) may not grant eligibility under the state Medicaid plan for**
- 14 **medical assistance under 42 U.S.C. 1396a; and**
- 15 **(4) must grant eligibility for the plan through an approved**
- 16 **demonstration project under 42 U.S.C. 1315.**
- 17 (b) If ~~either~~ **any** of the following occurs, the office shall terminate
- 18 the plan in accordance with section 6(b) of this chapter:
- 19 (1) The:
- 20 (A) percentages of federal medical assistance available to the
- 21 plan for coverage of plan participants described in Section
- 22 1902(a)(10)(A)(i)(VIII) of the federal Social Security Act are
- 23 less than the percentages provided for in Section
- 24 2001(a)(3)(B) of the federal Patient Protection and Affordable
- 25 Care Act; and
- 26 (B) hospital assessment committee (IC 16-21-10), after
- 27 considering the modification and the reduction in available
- 28 funding, does not alter the formula established under
- 29 IC 16-21-10-13.3(b)(1) to cover the amount of the reduction
- 30 in federal medical assistance.
- 31 For purposes of this subdivision, "coverage of plan participants"
- 32 includes payments, contributions, and amounts referred to in
- 33 IC 16-21-10-13.3(b)(1)(A), IC 16-21-10-13.3(b)(1)(C), and
- 34 IC 16-21-10-13.3(b)(1)(D), including payments, contributions,
- 35 and amounts incurred during a phase out period of the plan.
- 36 (2) The:
- 37 (A) methodology of calculating the incremental fee set forth in
- 38 IC 16-21-10-13.3 is modified in any way that results in a
- 39 reduction in available funding;
- 40 (B) hospital assessment fee committee (IC 16-21-10), after
- 41 considering the modification and reduction in available
- 42 funding, does not alter the formula established under



- 1 IC 16-21-10-13.3(b)(1) to cover the amount of the reduction
 2 in fees; and
 3 (C) office does not use alternative financial support to cover
 4 the amount of the reduction in fees.
- 5 **(3) The Medicaid waiver approving the plan is revoked,**
 6 **rescinded, vacated, or otherwise altered in a manner such that**
 7 **the state cannot comply with the requirements of this chapter.**
- 8 (c) If the plan is terminated under subsection (b), the secretary may
 9 implement a plan for coverage of the affected population in a manner
 10 consistent with the healthy Indiana plan (IC 12-15-44.2 (before its
 11 repeal)) in effect on January 1, 2014:
- 12 (1) subject to prior approval of the United States Department of
 13 Health and Human Services; and
 14 (2) without funding from the incremental fee set forth in
 15 IC 16-21-10-13.3.
- 16 (d) The office may not operate the plan in a manner that would
 17 obligate the state to financial participation beyond the level of state
 18 appropriations or funding otherwise authorized for the plan.
- 19 (e) The office of the secretary shall submit annually to the budget
 20 committee an actuarial analysis of the plan that reflects a determination
 21 that sufficient funding is reasonably estimated to be available to
 22 operate the plan.
- 23 SECTION 9. IC 12-15-44.5-10, AS AMENDED BY P.L.30-2016,
 24 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2025]: Sec. 10. (a) The secretary has the authority to provide
 26 benefits to individuals eligible under the adult group described in 42
 27 CFR 435.119 only in accordance with this chapter.
- 28 **(b) The secretary shall limit enrollment in the plan to the lesser**
 29 **of:**
- 30 **(1) the number individuals that ensures that financial**
 31 **participation does not exceed the level of state appropriations**
 32 **or other funding for the plan; or**
 33 **(2) five hundred thousand (500,000) individuals.**
- 34 ~~(b)~~ (c) The secretary may negotiate and make changes to the plan,
 35 except that the secretary may not negotiate or change the plan **in a way**
 36 that would do the following:
- 37 (1) Reduce the following:
- 38 (A) Contribution amounts below the minimum levels set forth
 39 in section 4.7 of this chapter.
- 40 (B) Deductible amounts below the minimum amount
 41 established in section 4.5(c) of this chapter.
- 42 **(C) The number of hours required to satisfy the work**



- 1 **requirements specified in section 3(c)(1)(A) of this chapter.**
- 2 (2) Remove or reduce the penalties for nonpayment set forth in
- 3 section 4.7 of this chapter.
- 4 (3) Revise the use of the health care account requirement set forth
- 5 in section 4.5 of this chapter.
- 6 (4) Include noncommercial benefits or add additional plan
- 7 benefits in a manner inconsistent with section 3.5 of this chapter.
- 8 (5) Allow services to begin:
- 9 (A) without the payment established or required by; or
- 10 (B) earlier than the time frames otherwise established by;
- 11 section 4.7 of this chapter.
- 12 (6) Reduce financial penalties for the inappropriate use of the
- 13 emergency room below the minimum levels set forth in section
- 14 5.7 of this chapter.
- 15 (7) Permit members to change health plans without cause in a
- 16 manner inconsistent with section 4.7(g) of this chapter.
- 17 (8) Operate the plan in a manner that would obligate the state to
- 18 financial participation beyond the level of state appropriations or
- 19 funding otherwise authorized for the plan.
- 20 **(9) Increase the maximum duration of benefits beyond the**
- 21 **limitations specified in section 3(c)(1)(B) of this chapter.**
- 22 **(10) Extend eligibility to individuals beyond those specified in**
- 23 **section 3(c) of this chapter.**
- 24 (ε) (d) The secretary may make changes to the plan under this
- 25 chapter if the changes are required by federal law or regulation.
- 26 SECTION 10. IC 16-19-3-19, AS AMENDED BY P.L.128-2015,
- 27 SECTION 237, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2025]: Sec. 19. (a) The state department shall
- 29 study the vital statistics and endeavor to make intelligent and profitable
- 30 use of the collected records of death and sickness among the people.
- 31 (b) As required under 52 U.S.C. 21083, after January 1, 2006, the
- 32 department shall provide information to **the following:**
- 33 (1) The election division to coordinate the computerized list of
- 34 voters maintained under IC 3-7-26.3 with the department records
- 35 concerning individuals identified as deceased under IC 3-7-45.
- 36 (2) **The office of the secretary of family and social services to**
- 37 **determine whether a Medicaid recipient is identified as**
- 38 **deceased for purposes of IC 12-15-1-24(c).**
- 39 SECTION 11. IC 22-4-19-6, AS AMENDED BY P.L.122-2019,
- 40 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2025]: Sec. 6. (a) Each employing unit shall keep true and
- 42 accurate records containing information the department considers



1 necessary. These records are:

2 (1) open to inspection; and

3 (2) subject to being copied;

4 by an authorized representative of the department at any reasonable
5 time and as often as may be necessary. The department, the review
6 board, or an administrative law judge may require from any employing
7 unit any verified or unverified report, with respect to persons employed
8 by it, which is considered necessary for the effective administration of
9 this article.

10 (b) Except as provided in this section, information obtained or
11 obtained from any person in the administration of this article and the
12 records of the department relating to the unemployment tax or the
13 payment of benefits is confidential and may not be published or be
14 open to public inspection in any manner revealing the individual's or
15 the employing unit's identity, except in obedience to an order of a court
16 or as provided in this section.

17 (c) A claimant or an employer at a hearing before an administrative
18 law judge or the review board shall be supplied with information from
19 the records referred to in this section to the extent necessary for the
20 proper presentation of the subject matter of the appearance.

21 (d) The department may release the following information:

22 (1) Summary statistical data may be released to the public.

23 (2) Employer specific information known as Quarterly Census of
24 Employment and Wages data and data resulting from
25 enhancements made through the business establishment list
26 improvement project may be released to the Indiana economic
27 development corporation only for the following purposes:

28 (A) The purpose of conducting a survey.

29 (B) The purpose of aiding the officers or employees of the
30 Indiana economic development corporation in providing
31 economic development assistance through program
32 development, research, or other methods.

33 (C) Other purposes consistent with the goals of the Indiana
34 economic development corporation and not inconsistent with
35 those of the department, including the purposes of IC 5-28-6-7.

36 (3) Employer specific information known as Quarterly Census of
37 Employment and Wages data and data resulting from
38 enhancements made through the business establishment list
39 improvement project may be released to:

40 (A) the budget agency and the legislative services agency only
41 for aiding the employees of the budget agency or the
42 legislative services agency in forecasting tax revenues; and



- 1 (B) the Indiana department of labor for the purpose of
 2 conducting a survey and reporting to the United States
 3 Department of Labor or the federal Bureau of Labor Statistics.
 4 **(4) Wages data to the office of the secretary of family and**
 5 **social services for the purposes specified in IC 12-15-1-24(d).**
 6 (e) The department may make information available under
 7 subsection (d) only:
 8 (1) if:
 9 (A) under subsection (d)(1), data provided in summary form
 10 cannot be used to identify information relating to a specific
 11 employer or specific employee; or
 12 (B) under subsection (d)(2) and (d)(3), there is an agreement
 13 that the employer specific information released will be treated
 14 as confidential and will be released only in summary form that
 15 cannot be used to identify information relating to a specific
 16 employer or a specific employee; and
 17 (2) after the cost of making the information available to the
 18 person requesting the information is paid under IC 5-14-3.
 19 (f) The department may disclose confidential information:
 20 (1) to an individual or employer as provided in 20 CFR 603.5(c),
 21 upon request and proper identification of the individual or
 22 employer;
 23 (2) through informed consent of a party as provided in 20 CFR
 24 603.5(d);
 25 (3) to a public official as provided in 20 CFR 603.5(e);
 26 (4) to an agent or contractor of a public official as provided in 20
 27 CFR 603.5(f); or
 28 (5) to the Bureau of Labor Statistics as provided in 20 CFR
 29 603.5(g);
 30 after the cost of making the information available to the party
 31 requesting the information is paid under IC 5-14-3.
 32 (g) In addition to the confidentiality provisions of subsection (b), the
 33 fact that a claim has been made under IC 22-4-15-1(c)(8) and any
 34 information furnished by the claimant or an agent to the department to
 35 verify a claim of domestic or family violence are confidential.
 36 Information concerning the claimant's current address or physical
 37 location shall not be disclosed to the employer or any other person.
 38 Disclosure is subject to the following additional restrictions:
 39 (1) The claimant must be notified before any release of
 40 information.
 41 (2) Any disclosure is subject to redaction of unnecessary
 42 identifying information, including the claimant's address.



- 1 (h) An employee:
- 2 (1) of the department who recklessly violates subsection (a), (c),
- 3 (d), (e), (f), or (g); or
- 4 (2) of any governmental entity listed in subsection (f) who
- 5 recklessly violates subsection (f);
- 6 commits a Class B misdemeanor.
- 7 (i) An employee of the Indiana economic development corporation,
- 8 the budget agency, or the legislative services agency who violates
- 9 subsection (d), (e), or (f) commits a Class B misdemeanor.
- 10 (j) An employer or agent of an employer that becomes aware that a
- 11 claim has been made under IC 22-4-15-1(c)(8) shall maintain that
- 12 information as confidential.
- 13 (k) The department may charge a reasonable processing fee not to
- 14 exceed two dollars (\$2) for each record that provides information about
- 15 an individual's last known employer released in compliance with a
- 16 court order under subsection (b).
- 17 **SECTION 12. An emergency is declared for this act.**

