

Commission on Improving the Status of Children in Indiana 2021 Legislative Summary

Bill #	Topic	Summary
HEA 1537	Commission on improving the status of children	Adds two young adult members to the Commission who have met the statutory definition of "vulnerable youth." Clarifies that a quorum consists of a majority of the voting members appointed to the commission.
Child Welfare and Family Law		
HEA 1032	Newborn safety devices	Expands the types of locations where a newborn safety device ("baby box") may be placed and establishes safety regulations that must be in place.
HEA 1060	Office of administrative law proceedings	Allows DCS to request that the office of administrative law proceedings to conduct administrative proceedings on certain administrative actions related to child support and certain substantiated reports of child abuse or neglect, and requires the office to maintain confidentiality in administrative proceedings concerning actions by the department of child services. Makes other changes to the administrative law code.
HEA 1230	Safe haven 911	Extends a parent's ability to anonymously relinquish a newborn child via the Safe Haven law to also be able to do so by calling 911 and remaining with the infant until first responders arrive. Parents have the right to remain anonymous.
HEA 1448	Adoption	If parental rights have been terminated or parents have provided written consent, an adoption petition may be filed in any county. Establishes rules and procedures for providing notice of an adoption petition. Allows a court to consider, in a motion to contest the adoption, a parent's substance abuse, voluntary unemployment, or instability, if the parent has made substantial and continuing progress.
HEA 1531	DCS and the Education community	Allows DCS to interview a child at the child's school without parental consent with a court order or in exigent circumstances. Requires DCS to provide assurances that the child's school has been invited to participate in the case plan process.
HEA 1532	Department of child services reporting	Requires DCS to annually submit to the general assembly a report providing specified information regarding cost reports submitted to child services providers, including percentage of submitted costs that were disallowed and the number of requests for rate reviews and whether rates were increased, decreased, or stayed the same.

HEA 1536	Department of child services	Provides that if the governor declares a state of disaster emergency, the department of child services (department) may allow older youth who are receiving collaborative care services at the time of the declaration to continue to receive collaborative care services for the duration of the state of disaster emergency; and modify or suspend enforcement of a statute or rule specifying a time within which a foster parent must provide for a child to be examined by a physician, physician assistant, or advanced practice registered nurse after the child's placement in the foster parent's home.
SEA 137	Kids first trust fund board	Allows the Indiana kids first trust fund board (board) to create a nonprofit subsidiary corporation to solicit and accept private funding. Requires the board to study this topic and report to the legislature. Makes updates to the terms, quorum provisions, and other procedures of the current board.
SEA 239	Provision of remote child services	DCS must develop policies and procedures to allow for remote child services; first meeting must be in person; CFTM determines whether remote services are appropriate thereafter. Remote services may be provided for up to 14 days after initial visit or until CFTM makes a determination; whichever comes first.
SEA 240	Female genital mutilation	Makes performing or facilitating (if a parent) female genital mutilation a Level 3 felony; makes a child who is a victim of female genital mutilation a child in need of services; a physician who performs female genital mutilation shall have their license permanently revoked.
SEA 259	Parents with disabilities	Provides that the right of a person with a disability to parent the person's child may not be denied or restricted solely because the person has a disability, and in the case of foster parents, DCS shall take into consideration the provision of reasonable accommodations to a person with a disability.
SEA 301	Child services oversight	Establishes the interim study committee on child services, which will receive and review child fatality reports from local teams and the state team and may make policy recommendations to increase child safety. Requires the state child fatality report to include information on whether a child who died was a ward of the state at the time of the event that led to the child's death. Allows other members of a local fatality review team besides the prosecutor to call the first meeting of the team. Urges the legislative council to assign certain topics to the study committee.

Criminal and Juvenile Justice

HEA 1006	Law enforcement officers	Requires the Indiana law enforcement training board to establish mandatory training in de-escalation as part of the use-of-force curriculum, and requires de-escalation training to be provided as pre-servie, in-service, and executive training. Establishes a procedure to decertify an officer who has committed misconduct. Defines "chokehold" and prohibits the use of a chokehold unless deadly force is justified. Makes it a Class A misdemeanor for a law enforcement officer to turn off a body worn camera with the intent to conceal a criminal act. Requires an agency hiring a law enforcement officer to request the officer's employment record and certain other information from previous employing agencies, requires the previous employing agency to provide certain employment information upon request, and provides immunity for disclosure of the employment records. Makes an appropriation to the Indiana law enforcement training academy for making capital improvements.
HEA 1127	Mental health and addiction forensic treatments	Removes a provision that allows a delinquent child's or person's; Medicaid participation to be terminated following a two year suspension due to certain adjudications or incarceration. Adds competency restoration services to the list of treatment and wraparound recovery services made available to certain persons in the criminal justice system. Adds competency restoration services to the list of services that qualify a person for mental health and addiction forensic treatment services. Adds recovery community organizations and recovery residences certified by DMHA to the list of organizations eligible for certain funds and grants from the division. Requires demographic data concerning race and ethnicity to be included in certain demographic research performed by the division.
HEA 1256	Juvenile court jurisdiction	Provides that a child who: (1) commits indecent display by a youth; or (2) commits dangerous possession of a firearm or provides a firearm to another child in certain circumstances; has committed a delinquent act subject to the jurisdiction of a juvenile court.
SEA 7	Forensic nurses	Specifies requirements that a registered nurse must meet in order to practice as a forensic nurse, including biennial continuing education for a forensic nurse.
HEA 79	Protection orders and domestic battery	Requires a court to determine if issuing a protective order will impact a school's ability to provide in person instruction to the protected person and, if so, to notify the school of the hearing on the PO and allow them to testify. Increases domestic battery from a misdemeanor to a felony under certain conditions.
SEA 81	Training for investigators of sexual assault cases	Requires certain training for sexual assault investigators. Mandates that the law enforcement training board set specialized standards for training and investigating sexual assault cases involving adult victims.

SEA 98	Interstate compact transportation fund	Allows a community corrections agency to access funds from the county offender transportation fund to defray the cost of transporting offenders and delinquent children as requested by a court, a probation department, a community corrections agency, or a county sheriff.
SEA 240	Female genital mutilation	Makes performing or facilitating (if a parent) female genital mutilation a Level 3 felony; makes a child who is a victim of female genital mutilation a child in need of services; a physician who performs female genital mutilation shall have their license permanently revoked.
SEA 368	Juvenile justice	Provides for the automatic expungement of juvenile misdemeanor offenses. Prohibits a juvenile arrestee who meets certain requirements from being housed with adult inmates prior to trial, with certain exceptions. Establishes a procedure for determining juvenile competency. Provides that after a juvenile court has determined that a child is a dual status child, the juvenile court may refer the child to be assessed by a dual status assessment team under certain circumstances.
Education		
HEA 1008	Student learning recovery grant program	Establishes the student learning recovery grant program and appropriates \$150 million to fund the grants. To be eligible to receive a grant, an eligible entity must develop and submit a student learning acceleration plan, according to the requirements of the program. DOE must report on the grants to the interim committee on education in November 2021 and 2022.
HEA 1040	Sudden cardiac arrest of students	Makes additions to the information that must be included in sudden cardiac arrest information sheets provided to parents; expands the requirement to include marching band students along with athletics participants; establishes procedures for detecting symptoms of sudden cardiac arrest, removing a student from practice or play, and returning a student to practice or play after providing information to the student's parent and receiving the parent's consent for the student to return. Establishes immunity for coaches and marching band leaders who complete training and act in good faith.
HEA 1101	Daycare licensure exemption in declared emergency	Exempts from day care licensure requirements a child care program that is operated by or under contract with a K-12 school and serving P-12 students for remote learning during a declared emergency or learning recovery that includes assessment and is aligned to state academic standards.
HEA 1119	Food purchases from agricultural programs	Provides that a public school or school corporation may purchase up to \$7,500 of food per fiscal year from a youth agricultural education program, subject to certain restrictions and documentation requirements. Provides that the public school or school corporation is not prohibited from purchasing food from a youth agricultural education program under any other procurement requirements.
HEA 1247	Child care provider notice	Allows FSSA to communicate with childcare programs for purposes of licensing or registration via email.

HEA 1266	School efficiency	DOE must issue a request for information for the purposes of exploring potential opportunities to improve the efficiency of noninstructional school services with a due date no later than February 1, 2022, with a report on responses due March 1, 2022.
HEA 1313	Students with disabilities	Requires state agencies and MPH to collaborate to create a list of individuals with disabilities who left high school during certain years and provide that list to DWD, who must provide the eligible individuals with a list of training and education opportunities and employment services resources. State advisory council on the education of children with disabilities must update the resource list annually and DWD must post it on its web site. State board of education must adopt rules to create an alternate diploma for students with significant cognitive disabilities.
HEA 1384	Civics education	Requires, not later than July 1, 2022, the state board of education, in coordination with the department of education, to establish standards for civics education. Establishes the: (1) Indiana civic education commission; and (2) duties of the commission. Provides that each school corporation, charter school, and state accredited nonpublic school shall require each student to successfully complete in grade 6, 7, or 8 one semester of a civics education course. Provides that the civics education standards in effect on July 2, 2022, may only be changed by the express authorization of the general assembly.
HEA 1438	Course access program	Makes various changes to the course access program (the means by which students can take courses not offered at their school from an alternative educational provider.)
HEA 1449	Broadband development	Amends the statute governing the awarding of grants from the rural broadband fund.
HEA 1514	Various Education Matters	Requires the state to publish a school performance dashboard and each local corporation to publish the same information in substantially the same format, local districts may also include custom indicators. All schools will have a "null" letter grade for 2020-2021; districts and charters are required to submit certain information to DOE for the 2020-21 and 2021-22 school years, and DOE must prepare and submit reports based on that information to the governor and the state board. Repeals state takeovers of failing schools.
HEA 1531	DCS and the Education community	Allows DCS to interview a child at the child's school without parental consent with a court order or in exigent circumstances. Requires DCS to provide assurances that the child's school has been invited to participate in the case plan process.
HEA 1549	Education matters	Makes changes to the priority enrollment period and limited eligibility requirements for On My Way Pre-K. Requires schools that wish to contract with a virtual education provider to operate a virtual school to have the contract reviewed by DOE. Prohibits charter school organizers from entering into contracts that direct compensation to officers or employees of the organizer or their relatives. Establishes the Cambridge International program and the postsecondary prior learning assessment clearinghouse to collect information on assessments used to award advanced standing or postsecondary credit.

HEA 1553	Higher Education matters	Changes the eligibility requirements for the next generation Hoosier educators scholarship and provides that a student may qualify for the scholarship by achieving a cumulative grade point average upon graduation of at least a 3.5 on a 4.0 grading scale during grades 9, 10, 11, and 12. Requires the commission for higher education to give priority to an individual who is: (1) a recent high school graduate; (2) pursuing a teacher shortage area; (3) showing significant financial need; or (4) a member of a household with an annual income of not more than the amount required for the individual to qualify for the free or reduced price lunch program as determined for the immediately preceding taxable year. Provides that the National Guard tuition supplement program may be used by a scholarship applicant for graduate credits.
HEA 1564	Secretary of education	Makes changes to the code necessary to complete the transition from an elected Superintendent of Public Instruction to an appointed Secretary of Education.
SEA 2	Funding for virtual instruction in public schools	Provides that traditional schools receive the full tuition support for 2020-2021 academic year for all students who were counted in February 2020, even if those students received virtual instruction in 2020-2021.
SEA 55	School referenda	Requires a school corporation to adopt a revenue spending plan for a proposed referendum and to report on its compliance with that plan in financial reports; prohibits districts from providing bonuses or incentives to administrators that are conditional upon the passage of a referendum; establishes additional financial reporting requirements for school corporations.
SEA 59	Occupational therapy services	Occupational therapy may be provided for a period of 42 days before obtaining a referral from a doctor, APRN, psychologist, optometrist, chiropractor, or PA to continue the services.
SEA 93	Tuition charges for veterans	Provides that nonresident veterans may enroll in state educational institutions and pay the in-state rate, within three years of discharge or separation from the armed forces.
SEA 101	Education and higher education matters	Amends requirements regarding the development of a student's graduation plan and requires the plan to be completed by the end of 8th grade (not 6th). Provides that a student who is at least 17 years of age has full legal capacity to enter into a contract for a next generation Hoosier educators scholarship. Provides that the requirement that a postsecondary credit bearing proprietary educational institution that ceases operation submit student records to the Indiana archives and records administration applies regardless of any outstanding debts owed to the institution.
SEA 196	Education matters	Requires the state board of education (state board) to adopt administrative rules to allow an organization to provide credit under a Core 40 curriculum model for alternative programs in which students obtain credit counting toward the student's graduation requirements from nonschool educational experience that applies or incorporates content area knowledge in lieu of a required or elective course in the Core 40 curriculum model.

SEA 205	Teacher training	Establishes a new alternative pathway to teacher licensing. Requires teacher prep programs to include curriculum on SEL practices that are helpful in supporting students who have experienced trauma. Teacher prep programs must consider training teachers on evidence-based SEL practices consistent with the state's SEL competencies.
SEA 251	Deduction of dues to exclusive representative	Requires that if teachers want their union dues withheld from their paycheck they must opt in each year on a form created by the Attorney General, then must confirm via email with their school employer.
SEA 260	Circuit court clerk matters	Allows a person who is 16 or 17 years of age to serve as a precinct election officer and specifies the duties they may perform. A school that is used as a polling place may on election day: (1) conduct a virtual instruction day for students who attend school in the school building; or (2) conduct in-person instruction to students who attend school in the school building if certain conditions are met. Makes other administrative changes to election procedures as requested by the clerks association.
SEA 358	School buildings	Requires school corporations to get a certification from the AG's office to be able to keep or sell a vacant school building (as opposed to offering it to any charter school or state educational institution for \$1). Involves the AG's office in enforcement of the \$1 law. Requires school corporations to maintain vacant buildings until they are sold for \$1 or otherwise disposed of. If a corporation sells a vacant building not in compliance with the \$1 law, proceeds are forfeited and divided among charter schools within the boundaries of the corporation.
SEA 413	Charter school study committee	Establishes a panel to study charter school funding and methods for improving school building utilization by a school corporation.
SEA 414	Various Education Matters	Each school corporation and charter school shall adopt and implement an Internet use policy; and use hardware or install software on school-owned devices to filter or block Internet access to materials that are harmful to minors. The internet policy must be posted on the school's web site. Requires pupil enrollment for the career and technical education enrollment grant to, for informational purposes only, be determined at the same time that a school corporation's spring count of ADM is determined.

Public Health

HEA 1007	State health improvement plan and grant program	Requires IDOH, in consultation with FSSA, to develop a statewide plan to improve Hoosiers health and mental health, present the plan to the interim study committee on public health, submit annual reports on progress against the plan's metrics, and post progress on the main measures on the IDOH web site. Establishes the prevention and addressing of health issues and challenges grant fund and establishes guidelines for the program. Requires MPH to develop and publish a web page that tracks Indiana's metrics on the most significant areas of health and behavioral health impacting Indiana residents and demonstrate any progress made in these metrics, including progress by the grant recipients
HEA 1127	Mental health and addiction forensic treatments	Removes a provision that allows a delinquent child's or person's; Medicaid participation to be terminated following a two year suspension due to certain adjudications or incarceration. Adds competency restoration services to the list of treatment and wraparound recovery services made available to certain persons in the criminal justice system. Adds competency restoration services to the list of services that qualify a person for mental health and addiction forensic treatment services. Adds recovery community organizations and recovery residences certified by DMHA to the list of organizations eligible for certain funds and grants from the division. Requires demographic data concerning race and ethnicity to be included in certain demographic research performed by the division.
HEA 1203	Various health department matters	Makes administrative changes to the state health department, including renaming it the Indiana Department of Health, and strengthening the authority of the Commissioner within the department, among other changes. Extends the end of the syringe exchange program to July 1, 2026.
HEA 1225	Opioid treatment programs	Strengthens DMHA's oversight of opioid treatment programs.
HEA 1305	Medicaid reimbursement for children's hospitals	Specifies the reimbursement rate for inpatient and outpatient Medicaid services that are provided by an out-of-state children's hospital located in a state bordering Indiana in state fiscal years 2022 and 2023 (either the Medicare rate or 130% of the Medicaid rate if no Medicare rate exists for the service). Requires budget committee review of the reimbursements provided to those out-of-state children's hospital. Requires the children's hospitals to provide information required in the review to the family and social services administration not later than August 1.
HEA 1309	Pregnancy accommodation	Allows an employee to request an accommodation for the employee's pregnancy and requires an employer to respond within a reasonable time frame. Employer is not required to provide an accommodation unless existing federal or state laws require that an accommodation must be made. Prohibits an employer from disciplining, terminating, or retaliating against an employee because the employee has requested or used an accommodation for the employee's pregnancy.

HEA 1468	Various health matters	Requires FSSA to apply for a Medicaid plan amendment or waiver to allow certain services provided by a CMHC to be reimbursed; establishes requirements for the 9-8-8 suicide hotline and FSSA's oversight of the hotline, requires schools to include the 9-8-8 hotline number on middle school and high school IDs starting in fall of 2022; changes the licensing requirements for a licensed clinical addictions counselor; makes changes to regulations applying to pharmacists; adds two mental health representatives to JRAC.
HEA 1516	Licensure of behavior analysts	Provides for the licensing of behavior analysts and assistant behavior analysts; establishes a new licensing board to develop requirements and oversee the licensing process.
SEA 3	Telehealth matters	Sets standards for providing telehealth services; providers may not be required to use telehealth if they believe it will negatively impact the quality of care; telehealth may not be used for abortion; repeals telepsychology law and extends telehealth provisions to multiple types of providers.
SEA 7	Forensic nurses	Specifies requirements that a registered nurse must meet in order to practice as a forensic nurse, including biennial continuing education for a forensic nurse.
SEA 10	Statewide maternal mortality review committee	Requires all deaths of women during pregnancy or for one year after giving birth to be reported to the statewide maternal mortality committee; mental health records can be provided to the committee without the patient's consent; requires deaths to be reviewed by the committee; requires the committee to determine whether an abortion or miscarriage happened and whether it contributed to the death; extends the committee's sunset to 2025.
SEA 59	Occupational therapy services	Occupational therapy may be provided for a period of 42 days before obtaining a referral from a doctor, APRN, psychologist, optometrist, chiropractor, or PA to continue the services.
SEA 82	Mental Health Diagnosis	Allows mental health practitioners with licenses LCAC, LMHC, LCSW, and LMFT, to provide a mental health diagnosis. Requires these practitioners to refer patients to a physician, APRN, or PA if they have not seen one in 12 months and to coordinate care as appropriate.
Family Economic Resources & Housing		
HEA 1009	TANF Program	Increases the state earned income tax credit to an amount from 9% to 10% of the federal earned income tax credit. Provides that for purposes of the Temporary Assistance for Needy Families program, income earned by a household member under age 24 who is participating in or pursuing a postsecondary degree, a workforce certificate, a pre-apprenticeship, or an apprenticeship may not disqualify an eligible household from receiving benefits, and may not be considered in determining the amount of assistance, and after determination, up to an additional \$15,000 of income may be earned by such an individual without changing the family's eligibility status.
HEA 1541	Landlord-tenant relations	Eliminates the general restriction on the authority of a county, city, town, or township concerning regulation of landlord-tenant relationship matters not specifically described by state statute. Prohibits the waiver of tenant rights regarding retaliatory acts by a landlord.

SEA 218	Township homeless assistance	Creates the low barrier homeless shelter task force; allows a township trustee to place a homeless individual temporarily in a county home or provide temporary township assistance; requires all trustees in a county to collaborate to annually publish a list of resources available to the homeless population in that county; makes squatting in an unsafe building criminal trespass; makes harrassment for purposes of obtaining property "agressive harassment" a class C misdemeanor; repeals previous panhandling law.
-------------------------	------------------------------------	--