



Legislative Update

121st General Assembly

Friday, March 15, 2019



Week Ten Overview

The tenth week of session saw the return of a full committee schedule in the House of Representatives and the Senate. Budget hearings continued in the Senate Committee on Appropriations, with testimony from a number of different Indiana agencies.

The first few pieces of legislation will be presented to the governor after passing out of third readings in both the House and the Senate. Just as a reminder, this session is a "long session" and is scheduled to adjourn on April 29, 2019, though each chamber has declared Friday, April 26 as the "tentative" Sine Die.



Points of Interest

Education

Education was a major topic this week, with the House and Senate education committees, and school funding subcommittee convening. Discussion centered around a number of bills including:

House Bill 1002, Career and Technical Education Matters (Rep. Holli Sullivan (R-Evansville)).

House Bill 1009, Teacher Residency Grant Pilot Program (Rep. Dale DeVon (R-Granger))

House Bill 1005, State Superintendent of Public Instruction (Rep. Brian Bosma (R-Indianapolis)).

Criminal Law

House Bill 1078, Commitment of Level 6 Offenders to D.O.C. (Rep. Gregory Steuerwald (R-Danville)) - This bill provides that a court may commit a person convicted of a Level 6 felony to the department of correction (DOC) if the person: (1) is a convicted violent offender; or (2) has two prior unrelated felony convictions. During the Senate Corrections and Criminal Law committee, the bill comfortably passed, and will now proceed to the Senate floor for a second reading.

Healthcare

House Bill 1342, Telephone CPR Instruction Training (Rep. Ronald Bacon (R- Chandler)) - After July 1, 2020, requires an individual to complete a telephone cardiopulmonary resuscitation (T-CPR) training program (program) approved by the division of fire and building safety (division) if the individual: (1) answers 911 emergency medical telephone calls for a state or local law enforcement agency or fire protection agency, including a volunteer fire department (agency); and (2) is authorized by the agency's protocols to provide T-CPR instructions to a caller. Provides that the division may provide programs or third parties may provide programs that are approved by the division. Requires the division to: (1) adopt minimum standards for programs that meet or exceed evidence based nationally recognized emergency cardiovascular care guidelines; and (2) establish continuing education requirements. Allows the division to collect reasonable fees for providing programs and certifications that are deposited in the fire and building services fund. Sets forth certain requirements for a public safety answering point if a public safety answering point transfers a telephone caller to a public safety telecommunicator. Provides that a public safety telecommunicator who has completed a certified training program in emergency medical dispatch call handling is exempt from completing a T-CPR training program. Provides civil immunity for damages relating to the provision of T-CPR instruction. This bill passed its second reading and will now move forward to a third reading in the Senate.



Session Floor Highlights

House of Representatives

The following bills of interest have passed third reading in the House of Representatives and will now make their way to Governor Holcomb's desk.

Senate Bill 4, Water and Wastewater Utilities and Runoff (Sen. Ed Charbonneau (R- Valparaiso)) - Establishes a storm water management task force to study issues related to storm water management systems. Provides for the task force to consist of: (1) two members of the senate; (2) two members of the house; and (3) other members appointed by the governor. Requires the task force to issue a report setting forth its findings and recommendations not later than December 1, 2019. Provides that the Indiana finance authority (IFA) shall coordinate the executive branch activities related to the state's water programs. Prescribes the duties of the authority in serving in this role. Requires the IFA to divide Indiana into study areas and to hold annual meetings with the officers and employees of the water and wastewater utilities located in each study area. Authorizes the utilities within a study area to meet voluntarily to determine area water and wastewater priorities, promote cooperation among the utilities, and consider other matters. Requires biennial reports from the utilities of each study area and from the IFA on the cooperative activities of the utilities. Provides that a utility applying to the IFA for a loan, a grant, or other financial assistance must demonstrate that its officers and employees have participated in study area activities. Requires every water utility, at least once in each calendar year, to perform an audit of its water distribution system to determine the causes of the water utility's "non- revenue water" (the difference between the amount of water entering the utility's distribution system and the amount of water received by the water utility's customers). In even-numbered years, requires the results of the annual audit to be verified by an independent evaluator and reported to the IFA and requires the IFA to issue a report concerning the audit results. Specifies that: (1) customer specific data, including information excluded from public access under Indiana's access to public records act; and (2) a required cybersecurity plan; submitted

in connection with an application for a permit for a public water system or a wastewater treatment plant is exempt from the requirement that certain required analyses and plans must be made publicly available. Amends the definition of "customer lead service line improvement".

Senate Bill 141, Office Based Opioid Treatment Providers (Senator Houchin (R-Salem)) - Specifies requirements that a health care provider that prescribes for a patient in an office based opioid treatment setting must meet in the treatment of the patient. Requires the medical licensing board of Indiana, in consultation with the state department of health and the office of the secretary of family and social services, to adopt rules or protocols concerning office based opioid treatment providers and: (1) treatment agreements; (2) periodic scheduled patient visits; (3) urine toxicology screenings; (4) HIV, hepatitis B, and hepatitis C testing; and (5) the medical record documentation required for the prescribing of buprenorphine over a specified dosage.

Senate Bill 156, Fire Protection District Per Diems (Sen. Lonnie Randolph (D- East Chicago)) - Increases the maximum amount (from \$20 to \$100) that a member of the board of fire trustees of a fire protection district may receive for each day that the member devotes to the work of the district.

Senate

The following pieces of legislation saw movement in the Senate this week:

House Bill 1002, Career and Technical Education Matters (Rep. Holli Sullivan (R-Evansville)) - Requires the management performance hub to: (1) collect certain postsecondary academic data or employment data of a student upon the student's graduation from high school that can be linked to the student's kindergarten through grade 12 student identification number; and (2) on November 1, 2019, and each November 1 thereafter, send a report to the legislative council that summarizes the data. Establishes the career coaching grant program and fund. Provides that the governor's workforce cabinet (cabinet) shall administer the grant program and fund. Provides that the skills enhancement fund may be used to support cooperative arrangements between school corporations or charter schools and businesses if the cooperative arrangement leads to: (1) certain credentials or training for a new hire; or (2) an increase of wages and certain credentials or training for an incumbent employee. Provides that the cabinet shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins Vocational and Applied Technology Act. Provides that, after June 30, 2019, a school corporation, school, or secondary school vocational program may employ an instructor who does not have a license if the instructor meets certain occupational and training requirements. Provides that a teacher who teaches a career or technical education course may be eligible to receive a pay supplement. Provides that the governing body of a career and technical education center may include a postsecondary level career and technical education course in the high school curriculum. Provides that the department of workforce development shall include any postsecondary level career and technical education courses in the list of courses provided to the state board of education. Increases, from \$500 to \$1,000, the maximum work Indiana grant amount that may be awarded. Provides that each school in a school corporation and

each charter school shall submit as part of a school's improvement plan to the department of education (department) a summary of how the school will implement the career standards curriculum. Provides that the department shall review the submitted plans every two years and may review a plan at random to review the relevancy of the plan to the changing economy. Provides that the department shall assist schools in incorporating best practices regarding the career curriculum from around the state. Provides that each student is required to enroll, in either grade 9 or grade 10, in either: (1) a course to prepare the student for college or a career; or (2) an introductory level career and technical education course. Provides that a graduation plan should include the postsecondary goals of the student. Provides that a contract between a career and technical education center and a school or school corporation is a public document under Indiana's open door law. Provides that a school corporation that has entered into an agreement for a joint program of career and technical education may add a new career and technical education course to its curriculum without being approved by the joint program board or the governing body overseeing the joint program if the course is being offered in partnership with certain entities. Provides that the department of education shall annually compile information regarding each school corporation's pupil count and per pupil cost to the school corporation for each career and technical education program in which the school corporation receives career and technical education grants. Provides that a workforce ready grant may be used at: (1) Ivy Tech Community College; (2) Vincennes University; or (3) a program approved by the commission for higher education. (Current law provides that a workforce ready grant may be used at Ivy Tech Community College or Vincennes University.) Resolves a conflict between HEA 1074-2018 and HEA 1002-2018. Provides that the next level jobs employer training grant program is established to provide grants to reimburse training costs to employers for newly trained employees which leads to: (1) certain credentials or training for a new hire; or (2) an increase of wages and certain credentials or training for an incumbent employee. Requires the budget agency to report each year on the costs incurred by each school corporation to implement: (1) the requirement of a grade 9 or grade 10 student to enroll in a college or career course or introductory career and technical education course; and (2) the career standards curriculum. Voids an administrative rule that requires a school corporation to ensure that a teacher of a secondary school vocational program is licensed by the department of education. Makes technical corrections.

House Bill 1005 -State Superintendent of Public Instruction (Rep. Brian Bosma (R-Indianapolis)) - Amends the date on which the office of the state superintendent of public instruction is abolished. Provides for the appointment of the secretary of education by the governor beginning January 11, 2021. (Current law provides that the governor does not appoint the secretary of education until January 11, 2025.)

House Bill 1008 - Teacher Residency Grant Pilot Program (Rep. Dale DeVon (R- Granger)) - Establishes the: (1) teacher residency grant pilot program (pilot program); and (2) teacher residency grant pilot program fund. Requires the commission for higher education (commission) to administer the pilot program. Provides that the commission may award grants to school corporations and charter schools that: (1) apply to participate in the pilot program; (2) partner with one approved postsecondary educational institution to establish and implement a teacher residency program (program); (3) submit a teacher residency plan that establishes a program that meets certain requirements; and (4) provide other information required by the commission. Provides that a school corporation or charter school that is awarded a grant under the pilot program: (1) shall provide stipends to program participants and teachers who act as mentors to program participants; and (2) may use money from the grant award to pay the approved postsecondary educational institution with which the school corporation or charter school has partnered for administrative costs

incurred by the approved postsecondary educational institution in developing and implementing the program. Requires the commission to submit a report regarding the pilot program and the retention and performance of program participants.

Please feel free to contact a member of our legislative team should you have questions regarding the happenings in the Indiana General Assembly!

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