

HOUSE BILL No. 1216

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-17; IC 34-30-2.1.

Synopsis: Hyperbaric oxygen treatment program. Requires the Indiana department of veterans' affairs to establish and administer a hyperbaric oxygen treatment program (program) to make grants to certain providers to provide diagnostic testing and hyperbaric oxygen treatment to qualified service members. Establishes program requirements. Requires the Indiana department of health to: (1) issue a request for proposals to offer treatment under the program; and (2) adopt rules to implement these provisions, including rules concerning program eligibility, treatment plan requirements, criteria for approving payments for treatment, and confidentiality. Provides that funding for the program is paid from the military family relief fund. Makes conforming amendments related to the sunset of the hyperbaric oxygen treatment pilot program.

Effective: July 1, 2026.

Hamilton

January 5, 2026, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1216

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

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

1 SECTION 1. IC 10-17-12-0.7, AS AMENDED BY P.L.61-2023,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 0.7. The purpose of the fund established in section
4 8 of this chapter is to provide:

5 (1) short term financial assistance to families of qualified service
6 members; **and**

7 (2) **funding for hyperbaric oxygen treatment for qualified**
8 **service members under IC 10-17-16.**

9 SECTION 2. IC 10-17-12-8, AS AMENDED BY P.L.42-2020,
10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 8. (a) The military family relief fund is established
12 to provide:

13 (1) short term assistance with food, housing, utilities, medical
14 services, basic transportation, child care, education, employment
15 or workforce, and other essential family support expenses that
16 have become difficult to afford for qualified service members or
17 dependents of qualified service members; **and**



(2) funding for hyperbaric oxygen treatment for qualified service members under IC 10-17-16.

(b) Except as provided in section 9 of this chapter, the department shall expend the money in the fund exclusively to provide grants for assistance **and funding** as described in subsection (a).

(c) The department shall give priority to applications for grants **from the fund** for assistance ~~from the fund~~ **described in subsection (a)(1)** to qualified service members or dependents of qualified service members who have never received a grant under this chapter.

(d) Subject to the approval of the budget agency, the commission shall establish the maximum total dollar amount of grants **for assistance described in subsection (a)(1)** that may be expended in a state fiscal year. Once the maximum total dollar amount of grants that may be expended in a state fiscal year is reached, no additional grants may be authorized until the start of the following state fiscal year.

(e) The director shall each year provide a report to the budget committee concerning the grant program under this chapter.

(f) A qualified service member or the qualified service member's dependent may be eligible to receive assistance **described in subsection (a)(1)** from the fund.

(g) The commission shall administer the fund.

SECTION 3. IC 10-17-12-10, AS AMENDED BY P.L.53-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The commission shall adopt rules under IC 4-22-2 for the provision of grants **for short term financial assistance** under this chapter. Subject to subsection (b), the rules adopted under this section must address the following:

(1) Uniform need determination procedures.

(2) Eligibility criteria, including income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided.

(3) Application procedures.

(4) Selection procedures.

(5) A consideration of the extent to which an individual has used assistance available from other assistance programs before assistance may be provided to the individual from the fund.

(6) Other areas in which the commission determines that rules are necessary to ensure the uniform administration of the grant program under this chapter.

(b) The following apply to grants awarded under this chapter:

(1) The income eligibility standards must be based on the federal gross income of the qualified service member and the qualified



1 service member's spouse.

2 (2) An employee of the department who is otherwise eligible for
3 a grant from the fund must submit the employee's application
4 directly to the commission for review. The department shall have
5 no influence in any part of the employee's application.

6 (3) **Except as provided in IC 10-17-16**, the maximum amount a
7 qualified service member may receive from the fund is two
8 thousand five hundred dollars (\$2,500), unless a higher amount
9 is approved by the commission.

10 (4) The commission may consider the following in its analysis of
11 the applicant's request for assistance in excess of two thousand
12 five hundred dollars (\$2,500):

13 (A) The department's eligibility determination of the applicant.

14 (B) Facts considered in the department's need determination
15 review and award under 915 IAC 3-6-3 and 915 IAC 3-6-5.

16 (C) The circumstances surrounding the applicant's hardship,
17 if applicable.

18 (D) Any substantive changes in the applicant's financial
19 situation after the original application was submitted.

20 (E) Facts that may have been unknown or unavailable at the
21 time of the applicant's original application for assistance.

22 (F) Other compelling circumstances that may justify assistance
23 in excess of the two thousand five hundred dollar (\$2,500)
24 threshold.

25 (5) The commission shall approve or deny within sixty (60) days
26 an application for a grant filed with the commission after June 30,
27 2019, by an employee of the department. The commission shall
28 return an incomplete application with a notation as to omissions.
29 The return of an incomplete application shall be without
30 prejudice.

31 SECTION 4. IC 10-17-13.5-4, AS AMENDED BY THE
32 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
33 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2026]: Sec. 4. ~~(a)~~ The department may make grants to
35 qualified entities to be used for the purpose of providing services to
36 veterans or an eligible person, including the following:

37 (1) Programs focused on eliminating homelessness, preventing
38 near term homelessness, and providing safe and secure living
39 conditions.

40 (2) Assisting veterans or an eligible person in moving from public
41 housing assistance programs to:

42 (A) home ownership; or



(B) stable, long term rental status.

A grant under this chapter for the purpose specified in clause (B) may include up to nine (9) months of rental assistance.

(3) Assisting veterans or an eligible person in finding and using available federal and state resources.

(4) Providing therapeutic services.

(5) Providing job training and job search assistance.

(6) Preventing veteran suicide or suicide of an eligible person.

(b) The department may make grants to the provider chosen by the Indiana department of health under section 6 of this chapter (before its expiration) to be used for the purpose of providing assistance to the provider to provide diagnostic testing and hyperbaric oxygen treatment to veterans receiving treatment under the pilot program established under section 6 of this chapter (before its expiration). However, a grant under this chapter may not be awarded for the purposes specified in this subsection unless the Indiana department of health has adopted the rules required by section 6(g) of this chapter (before its expiration). In addition, a grant may not be awarded for the purposes specified in this subsection after the expiration of the pilot program established under section 6 of this chapter (expired June 30, 2025).

SECTION 5. IC 10-17-13.5-7 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 7: A provider under section 6 of this chapter, including a physician who supervises treatment, is immune from civil and criminal liability for an act or omission relating to the use of hyperbaric oxygen treatment to treat a veteran under the pilot program, unless the act or omission constitutes gross negligence or willful or wanton misconduct.

SECTION 6. IC 10-17-16 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 16. Hyperbaric Oxygen Treatment Program

Sec. 1. As used in this chapter, "department" refers to the Indiana department of veterans' affairs.

Sec. 2. As used in this chapter, "hyperbaric oxygen treatment" means treatment for traumatic brain injury or posttraumatic stress disorder that is ordered by a health care provider and delivered in a hyperbaric chamber.

Sec. 3. As used in this chapter, "program" refers to the hyperbaric oxygen treatment program established under section 5 of this chapter.

Sec. 4. As used in this chapter, "qualified service member" has the meaning set forth in IC 10-17-12-7.5.



1 **Sec. 5. (a)** The department shall establish and administer a
 2 hyperbaric oxygen treatment program to make grants to each
 3 provider approved by the Indiana department of health to provide
 4 diagnostic testing and hyperbaric oxygen treatment to a qualified
 5 service member.

6 **(b)** Subject to section 9 of this chapter, a provider approved by
 7 the Indiana department of health to provide hyperbaric oxygen
 8 treatment must meet the criteria and requirements established by
 9 the Indiana department of health under section 10 of this chapter.

10 **(c)** Funding for the program:

11 **(1)** shall be provided from the military family relief fund
 12 under IC 10-17-12; and

13 **(2)** may not exceed four hundred thousand dollars (\$400,000)
 14 each fiscal year.

15 **(d)** Subject to available funding, the department shall advertise
 16 the program through all forms of media.

17 **Sec. 6.** The Indiana department of health shall issue a request
 18 for proposals within Indiana to offer treatment under the program.

19 **Sec. 7. (a)** A qualified service member is eligible to begin
 20 treatment if the service related event that caused the traumatic
 21 brain injury or posttraumatic stress disorder is documented by a
 22 licensed physician.

23 **(b)** The department shall maintain a wait list for the program.
 24 A qualified service member who:

25 **(1)** applies; and

26 **(2)** is eligible;

27 for the program but is unable to participate in the program due to
 28 insufficient funding shall be placed on the wait list.

29 **Sec. 8. (a)** A qualified service member shall not be required to
 30 pay a copayment.

31 **(b)** Except as provided in subsection (c), a qualified service
 32 member may not receive more than forty (40) one (1) hour
 33 hyperbaric oxygen treatment sessions.

34 **(c)** A qualified service member may receive additional
 35 hyperbaric oxygen treatment sessions if:

36 **(1)** the qualified service member's treating provider submits
 37 a written request for additional treatment to the department
 38 stating that the qualified service member will benefit from the
 39 additional treatment; and

40 **(2)** the request described in subdivision (1) is approved by the
 41 department.

42 A qualified service member may not receive more than forty (40)



1 additional one (1) hour sessions under this subsection.

2 **Sec. 9. (a)** A grant under the program may be provided only to
3 the provider approved by the Indiana department of health to
4 provide diagnostic testing and hyperbaric oxygen treatment to
5 qualified service members.

6 **(b)** A provider who treats a qualified service member under this
7 chapter may not bill for the cost of services above a rate that
8 exceeds the reimbursement rate for the services determined by the
9 Indiana department of health.

10 **(c)** The amount of a grant awarded to a provider under this
11 chapter must be based on the reimbursement rate determined by
12 the Indiana department of health under subsection (b).

13 **Sec. 10.** The Indiana department of health, after consulting with
14 the department, shall adopt rules under IC 4-22-2 to implement
15 this chapter, including standards for the following:

16 **(1)** Determination by a provider that a qualified service
17 member is eligible for participation in the program.

18 **(2)** Determination by the Indiana department of health that a
19 provider is eligible to participate in the program, including:

20 **(A)** a requirement that the provider must maintain
21 compliance with applicable fire codes, treatment protocols,
22 and Indiana department of health oversight; and

23 **(B)** other facility standards determined by the Indiana
24 department of health.

25 **(3)** Treatment plan requirements, including the following:

26 **(A)** A provider's submission to the Indiana department of
27 health, before providing hyperbaric oxygen treatment to a
28 qualified service member, of a treatment plan that
29 includes:

30 **(i)** a health care provider's prescription for hyperbaric
31 oxygen treatment;

32 **(ii)** verification by the provider that the qualified service
33 member is eligible for participation in the program and
34 voluntarily accepts treatment through the program;

35 **(iii)** an estimate of the cost of the qualified service
36 member's treatment; and

37 **(iv)** any other information required by the Indiana
38 department of health.

39 **(B)** A reasonable time frame for:

40 **(i)** approval or disapproval by the Indiana department of
41 health of a treatment plan described in clause (A); and

42 **(ii)** notice to the provider of approval or disapproval of



- 1 the treatment plan.
- 2 (C) Contingent on sufficient funding being available,
- 3 approval of each treatment plan that meets the
- 4 requirements established by the Indiana department of
- 5 health under this chapter.
- 6 (D) The sources of funding for the estimated treatment cost
- 7 for each qualified service member whose treatment plan is
- 8 approved under this chapter.
- 9 (4) Criteria for approval of payment for treatment that has
- 10 been verified by the Indiana department of health to have
- 11 been provided under a treatment plan approved under
- 12 subdivision (3), including:
- 13 (A) whether a drug or device used in the treatment plan
- 14 has been approved for any purpose by the federal Food
- 15 and Drug Administration; and
- 16 (B) verification of the qualified service member receiving
- 17 the treatment, as demonstrated through:
- 18 (i) billing documentation from the provider of the
- 19 hyperbaric oxygen therapy treatments; or
- 20 (ii) attendance documentation signed by the provider
- 21 and treatment recipient attesting to the receipt of the
- 22 prescribed treatments.
- 23 (5) Confidentiality of all individually identifiable patient
- 24 information of a qualified service member. However, subject
- 25 to the requirements of the federal Health Insurance
- 26 Portability and Accountability Act and any other applicable
- 27 medical record laws, all data and information from which the
- 28 identity of an individual qualified service member cannot be
- 29 reasonably ascertained must be available to the general
- 30 assembly, participating institutional review boards,
- 31 participating health care providers, medical researchers, and
- 32 other governmental agencies.
- 33 Sec. 11. A provider, including a physician who supervises
- 34 treatment, is immune from civil and criminal liability for an act or
- 35 omission relating to the use of hyperbaric oxygen treatment to
- 36 treat a qualified service member under this chapter unless the act
- 37 or omission constitutes gross negligence or willful or wanton
- 38 misconduct.
- 39 Sec. 12. Each provider shall quarterly file a status report
- 40 concerning the services provided by the provider under the
- 41 program with the following:
- 42 (1) The department.



(2) The Indiana department of health.

SECTION 7. IC 34-30-2.1-126 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 126. IC 10-17-13.5-7 (Concerning health care providers that provide hyperbaric oxygen, and physicians who supervise treatment, under the pilot program):~~

SECTION 8. IC 34-30-2.1-126.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 126.5. IC 10-17-16-11 (Concerning health care providers that provide hyperbaric oxygen, and physicians who supervise treatment, under the program).**

