

HOUSE BILL No. 1306

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-10-17.1-12; IC 16-25-6; IC 16-27-2.

Synopsis: Prevention of elder abuse. Precludes certain individuals who have been convicted of particular crimes from providing certain types of in-home care for compensation. Prohibits the division of aging from registering certain individuals for purposes of attendant care services.

Effective: July 1, 2026.

Lauer

January 6, 2026, read first time and referred to Committee on Public Health.



Introduced

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. 1306

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

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

1 SECTION 1. IC 12-10-17.1-12, AS AMENDED BY P.L.56-2023,
2 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 12. (a) **Subject to subsection (f)**, the division
4 shall register an individual who provides the following:

5 (1) A personal resume containing information concerning the
6 individual's qualifications, work experience, and any credentials
7 the individual may hold. The individual must certify that the
8 information contained in the resume is true and accurate.

9 (2) The individual's:

10 (A) limited criminal history check from the Indiana central
11 repository for criminal history information under IC 10-13-3;
12 (B) expanded criminal history check under IC 20-26-2-1.5; or
13 (C) criminal history check from another source allowed by
14 law.

15 (3) If applicable, the individual's state nurse aide registry report
16 from the Indiana department of health. This subdivision does not
17 require an individual to be a nurse aide.



(4) Three (3) letters of reference.

(5) A registration fee. The division shall establish the amount of the registration fee.

(6) Proof that the individual is at least eighteen (18) years of age.

(7) Any other information required by the division.

(b) A registration is valid for two (2) years. A personal services attendant may renew the personal services attendant's registration by updating any information in the file that has changed and by paying the fee required under subsection (a)(5). The limited criminal history check and report required under subsection (a)(2) and (a)(3) must be updated every two (2) years.

(c) The division and any organization designated under section 11 of this chapter shall maintain a file for each personal services attendant that contains:

- (1) comments related to the provision of attendant care services submitted by an individual in need of self-directed in-home care who has employed the personal services attendant; and
- (2) the items described in subsection (a)(1) through (a)(4).

(d) Upon request, the division shall provide to an individual in need of self-directed in-home care the following:

- (1) Without charge, a list of personal services attendants who are registered with the division and available within the requested geographic area.
- (2) A copy of the information of a specified personal services attendant who is on file with the division under subsection (c). The division may charge a fee for shipping, handling, and copying expenses.

(e) The limited criminal history check requirement described in subsection (a)(2) may be satisfied by fulfilling the components of an expanded criminal history check under IC 20-26-2-1.5 and is subject to the conditions described in IC 16-27-2-4(c).

(f) A person may not be registered under subsection (a) if the person has any of the following convictions:

- (1) A sex crime (IC 35-42-4).
- (2) Exploitation of an endangered adult (IC 35-46-1-12).
- (3) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).
- (4) Theft, conversion, or receiving stolen property (IC 35-43-4), if the conviction is a:
 - (A) felony conviction that occurred less than ten (10) years;
 - or
 - (B) misdemeanor conviction that occurred less than five (5)



1 years;
2 before the person's registration application date.
3 **(5) Identity deception (IC 35-43-5-3.5), if the conviction is a:**
4 (A) felony conviction that occurred less than ten (10) years;
5 or
6 (B) misdemeanor conviction that occurred less than five (5)
7 years;
8 before the person's registration application date.
9 **(6) Fraud (IC 35-43-5-4), if the conviction is a:**
10 (A) felony conviction that occurred less than ten (10) years;
11 or
12 (B) misdemeanor conviction that occurred less than five (5)
13 years;
14 before the person's registration application date.
15 **(7) Murder (IC 35-42-1-1).**
16 **(8) Voluntary manslaughter (IC 35-42-1-3).**
17 **(9) Except as provided in this section, a crime of violence (as**
18 **defined in IC 35-50-1-2), if the person's conviction occurred**
19 **less than ten (10) years before the person's registration**
20 **application date.**
21 **(10) A battery offense under IC 35-42-2 within the previous**
22 **five (5) years.**
23 **(11) A felony offense relating to controlled substances within**
24 **the previous five (5) years.**
25 **(12) Neglect of a dependent under IC 35-46-1-4.**
26 SECTION 2. IC 16-25-6-1, AS AMENDED BY P.L.214-2013,
27 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]: Sec. 1. (a) A person may not own or operate a hospice
29 program if the person has:
30 (1) been convicted of rape (IC 35-42-4-1);
31 (2) been convicted of criminal deviate conduct (IC 35-42-4-2)
32 (repealed);
33 (3) been convicted of exploitation of a dependent or an
34 endangered adult (IC 35-46-1-12);
35 (4) had a judgment entered against the person for failure to report
36 battery, neglect, or exploitation of an endangered adult (IC
37 35-46-1-13); or
38 (5) been convicted of theft (IC 35-43-4), if the person's conviction
39 for theft occurred less than ten (10) years before the date of
40 submission by the person of an application for licensure or
41 approval as a hospice program under IC 16-25-3;
42 **(6) been convicted of a battery offense under IC 35-42-2**



1 **within the previous five (5) years; or**
2 **(7) been convicted of neglect of a dependent under**
3 **IC 35-46-1-4.**

4 (b) A person who knowingly or intentionally violates this section
5 commits a Class A misdemeanor.

6 SECTION 3. IC 16-25-6-3, AS AMENDED BY P.L.214-2013,
7 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b), a
9 person who owns or operates a hospice program may not employ an
10 individual or allow a volunteer to provide hospice services if that
11 individual's or volunteer's limited criminal history indicates that the
12 individual or volunteer has:

13 (1) been convicted of rape (IC 35-42-4-1);
14 (2) been convicted of criminal deviate conduct (IC 35-42-4-2)
15 (repealed);
16 (3) been convicted of exploitation of an endangered adult (IC
17 35-46-1-12);

18 (4) had a judgment entered against the individual for failure to
19 report battery, neglect, or exploitation of an endangered adult (IC
20 35-46-1-13); **or**

21 (5) been convicted of theft (IC 35-43-4), if the conviction for theft
22 occurred less than ten (10) years before the individual's
23 employment application date;

24 **(6) been convicted of a battery offense under IC 35-42-2**
25 **within the previous five (5) years; or**

26 **(7) been convicted of neglect of a dependent under**
27 **IC 35-46-1-4.**

28 (b) A hospice program may not employ an individual or allow a
29 volunteer to provide hospice services for more than twenty-one (21)
30 calendar days without receipt of that individual's or volunteer's limited
31 criminal history required by section 2 of this chapter, unless the Indiana
32 central repository for criminal history information under IC 10-13-3 is
33 solely responsible for failing to provide the individual's or volunteer's
34 limited criminal history to the hospice program within the time
35 required under this subsection.

36 SECTION 4. IC 16-27-2-3, AS AMENDED BY P.L.171-2025,
37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (c), a
39 person may not operate a home health agency or a personal services
40 agency if the person has been convicted of any of the following:

41 (1) A sex crime (IC 35-42-4).

42 (2) Exploitation of an endangered adult (IC 35-46-1-12).



(3) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).

(4) Theft, conversion, or receiving stolen property (IC 35-43-4), if the conviction is a:

(A) felony conviction that occurred less than ten (10) years; or

(B) misdemeanor conviction that occurred less than five (5) years;

before the date of submission by the person of an application for licensure as a home health agency under IC 16-27-1 or as a personal services agency under IC 16-27-4.

(5) Identity deception (IC 35-43-5-3.5), if the conviction is a:

(A) felony conviction that occurred less than ten (10) years; or

(B) misdemeanor conviction that occurred less than five (5) years;

before the person's employment application date.

(6) Fraud (IC 35-43-5-4), if the conviction is a:

(A) felony conviction that occurred less than ten (10) years; or

(B) misdemeanor conviction that occurred less than five (5) years;

before the person's employment application date.

(7) Murder (IC 35-42-1-1).

(8) Voluntary manslaughter (IC 35-42-1-3).

(9) Except as provided in this section, a crime of violence (as defined in IC 35-50-1-2), if the person's conviction occurred less than ten (10) years before the person's employment application date.

(10) **Felony A** battery **offense under IC 35-42-2** within the previous five (5) years.

(11) A felony offense relating to controlled substances within the previous five (5) years.

(12) Neglect of a dependent under IC 35-46-1-4.

(b) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

(c) A person who:

(1) was operating a home health agency or a personal services agency before July 1, 2025; and

(2) has a misdemeanor conviction under subsection (a)(4)(B) or (a)(5)(B);

may continue to operate the home health agency or personal services agency.

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1 JULY 1, 2026]: Sec. 5. (a) Except as provided in subsections (c) and
2 (d), a person who operates a home health agency under IC 16-27-1 or
3 a personal services agency under IC 16-27-4 may not employ a person
4 to provide services in a patient's or client's temporary or permanent
5 residence if one (1) or more of the following conditions exist:

6 (1) The person's national criminal history background check or
7 expanded criminal history check indicates that the person has
8 been convicted of any of the following:

9 (A) A sex crime (IC 35-42-4).

10 (B) Exploitation of an endangered adult (IC 35-46-1-12).

11 (C) Failure to report battery, neglect, or exploitation of an
12 endangered adult (IC 35-46-1-13).

13 (D) Theft, conversion, or receiving stolen property (IC
14 35-43-4), if the conviction is a:

15 (i) felony conviction that occurred less than ten (10) years;
16 or

17 (ii) misdemeanor conviction that occurred less than five (5)
18 years;

19 before the person's employment application date.

20 (E) Identity deception (IC 35-43-5-3.5), if the conviction is a:

21 (i) felony conviction that occurred less than ten (10) years;
22 or

23 (ii) misdemeanor conviction that occurred less than five (5)
24 years;

25 before the person's employment application date.

26 (F) Fraud (IC 35-43-5-4), if the conviction is a:

27 (i) felony conviction that occurred less than ten (10) years;
28 or

29 (ii) misdemeanor conviction that occurred less than five (5)
30 years;

31 before the person's employment application date.

32 (G) Murder (IC 35-42-1-1).

33 (H) Voluntary manslaughter (IC 35-42-1-3).

34 (I) Except as provided in this section, a crime of violence (as
35 defined in IC 35-50-1-2), if the person's conviction occurred
36 less than ten (10) years before the person's employment
37 application date.

38 (J) **Felony A battery offense under IC 35-42-2** within the
39 previous five (5) years.

40 (K) A felony offense relating to controlled substances within
41 the previous five (5) years.

42 (L) **Neglect of a dependent under IC 35-46-1-4.**



