

# HOUSE BILL No. 1306

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## 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.

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

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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)**



- years;  
before the person's registration application date.
- (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 registration 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 registration 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 registration application date.
- (10) 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.

SECTION 2. IC 16-25-6-1, AS AMENDED BY P.L.214-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person may not own or operate a hospice program if the person has:

- (1) been convicted of rape (IC 35-42-4-1);  
(2) been convicted of criminal deviate conduct (IC 35-42-4-2) (repealed);  
(3) been convicted of exploitation of a dependent or an endangered adult (IC 35-46-1-12);  
(4) had a judgment entered against the person for failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13); ~~or~~  
(5) been convicted of theft (IC 35-43-4), if the person's conviction for theft occurred less than ten (10) years before the date of submission by the person of an application for licensure or approval as a hospice program under IC 16-25-3;  
(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 a  
 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.

SECTION 5. IC 16-27-2-5, AS AMENDED BY P.L.171-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



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

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

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

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

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

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

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

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

before the person's employment application date.

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

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

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

before the person's employment application date.

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

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

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

before the person's employment application date.

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

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

(I) 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.

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

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

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



- 1           (2) The person:
- 2           (A) has abused, neglected, or mistreated a patient or
- 3           misappropriated a patient's property; and
- 4           (B) had a finding entered into the state nurse aide registry.
- 5           (b) A person who knowingly or intentionally applies for a job as a
- 6           home health aide or other unlicensed employee at:
- 7           (1) a home health agency;
- 8           (2) a health care facility; or
- 9           (3) an entity in the business of contracting to provide home health
- 10          aides or other unlicensed employees for a health care facility;
- 11          after a conviction of one (1) or more of the offenses listed in subsection
- 12          (a)(1) commits a Class A infraction.
- 13          (c) A home health agency or personal services agency may not
- 14          employ a person to provide services in a patient's or client's temporary
- 15          or permanent residence for more than twenty-one (21) calendar days
- 16          without receipt of that person's national criminal history background
- 17          check or expanded criminal history check required by section 4 of this
- 18          chapter, unless the state police department, the Federal Bureau of
- 19          Investigation under IC 10-13-3-39, or the private agency providing the
- 20          expanded criminal history check is responsible for failing to provide
- 21          the person's national criminal history background check or expanded
- 22          criminal history check to the home health agency or personal services
- 23          agency within the time required under this subsection.
- 24          (d) A home health agency or personal services agency may continue
- 25          to employ a person to provide services in a patient's or client's
- 26          temporary or permanent residence if the person:
- 27               (1) has a misdemeanor conviction under subsection (a)(1)(D)(ii)
- 28               or (a)(1)(E)(ii); and
- 29               (2) was employed by the home health agency or personal services
- 30               agency to provide services described in this subsection before
- 31               July 1, 2025.

