



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 275 be amended to read as follows:

- 1 Page 1, between lines 14 and 15, begin a new paragraph and insert:
- 2 "SECTION 2. IC 12-15-4-1.5, AS ADDED BY P.L.126-2025,
- 3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2026]: Sec. 1.5. (a) **This section does not apply to a**
- 5 **presumptive eligibility determination for an involuntary**
- 6 **detainment or commitment under a statute specified in**
- 7 **IC 12-26-1-1.**
- 8 (b) The office of the secretary shall establish the following:
- 9 (1) Performance standards for hospitals to use in making
- 10 presumptive eligibility determinations.
- 11 (2) An appeals process for a hospital that disputes a determination
- 12 that a presumptive eligibility standard was violated.
- 13 The office of the secretary shall limit presumptive eligibility
- 14 determination to qualified hospitals.
- 15 ~~(b)~~(c) A hospital shall do the following when making a presumptive
- 16 eligibility determination:
- 17 (1) Notify the office of the secretary of each presumptive
- 18 eligibility determination not later than five (5) business days after
- 19 the date of the determination.
- 20 (2) Assist individuals whom the hospital determines are
- 21 presumptively eligible with completing and submitting a full

- 1 Medicaid application.
- 2 (3) Notify the applicant in writing and on all relevant forms with
- 3 plain language and large print that if the applicant:
- 4 (A) does not file a full Medicaid application with the office of
- 5 the secretary before the last day of the following month,
- 6 presumptive eligibility will end on that last day; and
- 7 (B) files a full Medicaid application with the office of the
- 8 secretary before the last day of the following month,
- 9 presumptive eligibility will continue until an eligibility
- 10 determination is made concerning the application.
- 11 ~~(e)~~ (d) The office of the secretary shall use the following
- 12 performance standards to establish and ensure accurate presumptive
- 13 eligibility determinations by a qualified hospital:
- 14 (1) Determine whether each presumptive eligibility determination
- 15 received from the hospital complied with the time requirement set
- 16 forth in subsection ~~(b)(1)~~: **(c)(1)**.
- 17 (2) Determine whether the office of the secretary received before
- 18 the expiration of each presumptive eligibility period the full
- 19 application from the individual determined by the hospital to be
- 20 presumptively eligible.
- 21 (3) Determine whether each applicant who was determined by the
- 22 hospital to be presumptively eligible was determined to be
- 23 eligible for Medicaid after the full application was received.
- 24 ~~(d)~~ (e) Each single violation by a hospital of any of the performance
- 25 standards under subsection ~~(e)~~ (d) counts as one (1) violation for the
- 26 presumptive eligibility determination. Each subsequent violation of a
- 27 performance standard is an additional violation for purposes of this
- 28 section.
- 29 ~~(e)~~ (f) For the first violation of a presumptive eligibility standard
- 30 under this section that a hospital receives in a calendar year, the office
- 31 of the secretary shall notify the hospital in writing not later than five (5)
- 32 days after the determination of a violation is made. The notice must
- 33 include the following:
- 34 (1) A description of the standard that was not met and an
- 35 explanation of why the hospital did not meet the standard.
- 36 (2) Notice that a second finding on noncompliance with a
- 37 standard will result in a requirement that the hospital's applicable
- 38 staff participate in mandatory training on hospital presumptive
- 39 eligibility rules and standards that is performed by the office of
- 40 the secretary.
- 41 (3) A description of the available appeal procedures that the
- 42 hospital may use to dispute the finding of a violation of
- 43 presumptive eligibility standards.
- 44 ~~(f)~~ (g) If the office of the secretary determines that a hospital has
- 45 failed to meet any of the presumptive eligibility standards under this
- 46 section in any presumptive eligibility determination by the hospital for

1 a second time within a twelve (12) month period of a first violation, the
 2 office of the secretary shall notify the hospital in writing not later than
 3 five (5) days after the determination that a second violation has
 4 occurred. The written notice must include the following:

5 (1) A description of the standard that was not met and an
 6 explanation of why the hospital did not meet the standard.

7 (2) Notice that the hospital's applicable staff must participate in
 8 mandatory training on hospital presumptive eligibility rules and
 9 standards that is performed by the office of the secretary, and
 10 information concerning the date, time, and location of the training
 11 by the office.

12 (3) A description of the available appeal procedures that the
 13 hospital may use to dispute the finding of a violation of
 14 presumptive eligibility standards.

15 (4) Notice that a third violation by the hospital of a presumptive
 16 eligibility standard within a twelve (12) month period from the
 17 second violation will result in the hospital no longer being
 18 qualified to make presumptive eligibility determinations.

19 If a hospital appeals a finding of a violation of presumptive eligibility
 20 standards described in this subsection, the hospital must provide clear
 21 and convincing evidence during the appeals process that the standard
 22 was met by the hospital.

23 ~~(g)~~ **(h)** If the office of the secretary determines that a hospital has
 24 failed to meet any of the presumptive eligibility standards under this
 25 section in any presumptive eligibility determination by the hospital for
 26 a third time within a twelve (12) month period of the second violation
 27 by the hospital, the office of the secretary shall notify the hospital in
 28 writing not later than five (5) days from a determination that a
 29 presumptive eligibility standard was violated by the hospital for the
 30 third time. The written notice must include the following:

31 (1) A description of the standard that was not met and an
 32 explanation of why the hospital did not meet the standard.

33 (2) A description of the available appeal procedures that the
 34 hospital may use to dispute the finding of a violation of
 35 presumptive eligibility standards.

36 (3) Notice that, effective immediately from receipt of the notice,
 37 the hospital is no longer qualified to make presumptive eligibility
 38 determinations for the Medicaid program.

39 ~~(h)~~ **(i)** If a hospital appeals a finding of a violation of presumptive
 40 eligibility standards described in subsection ~~(g)~~; **(h)**, the hospital must

- 1 provide clear and convincing evidence during the appeals process that
- 2 the standard was met by the hospital."
- 3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 275 as printed February 18, 2026.)

Representative Steuerwald