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SENATE BILL No. 275

Proposed Changes to January 29, 2026 printing by AM027510

DIGEST OF PROPOSED AMENDMENT

Home health services. Restores a provision prohibiting the office of the secretary of family and social services from reducing reimbursement for home health services.

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 12-11-2.1-3, AS AMENDED BY P.L.99-2007,
- 2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]: Sec. 3. **(a)** All services provided to an individual must
- 4 be provided under the individual service plan of the individual with a
- 5 disability. To the extent that services described in IC 12-11-1.1-1(e) are
- 6 available and meet the individual's needs, services provided to an
- 7 individual shall be provided in the least restrictive environment
- 8 possible.
- 9 **(b) Pursuant to the applicable home and community based**
- 10 **services waiver, a request to increase service units on an**
- 11 **individual's approved service plan must be submitted to the bureau**
- 12 **for review and approval or denial not later than forty-five (45)**
- 13 **calendar days from the first day of the qualifying event, as**
- 14 **prescribed by the bureau.**
- 15 SECTION 2. IC 12-15-2-3.5, AS AMENDED BY P.L.210-2015,
- 16 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2027]: Sec. 3.5. An individual:
- 18 (1) who is:
- 19 (A) at least sixty-five (65) years of age; or
- 20 (B) disabled, as determined by the Supplemental Security

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1 Income program; and
 2 (2) whose income and resources do not exceed those levels
 3 established by the Supplemental Security Income program;
 4 is eligible to receive Medicaid assistance. ~~if the individual's family~~
 5 ~~income does not exceed one hundred percent (100%) of the federal~~
 6 ~~income poverty level for the same size family; using income counting~~
 7 ~~standards and criteria established by the federal Social Security~~
 8 ~~Administration.~~

9 SECTION 3. IC 12-15-2-26, AS ADDED BY P.L.278-2013,
 10 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2027]: Sec. 26. (a) This section applies beginning the later of
 12 the following:

13 (1) The date that the office is informed that the United States
 14 Department of Health and Human Services has approved
 15 Indiana's conversion to 1634 status within the Medicaid
 16 program.

17 (2) January 1, 2014.

18 (b) As used in this section, "qualified Medicare beneficiary"
 19 means an individual defined in 42 U.S.C. 1396d(p)(1).

20 (c) As used in this section, "qualifying individual" refers to an
 21 individual described in 42 U.S.C. 1396a(a)(10)(E)(iv).

22 (d) As used in this section, "specified low-income Medicare
 23 beneficiary" refers to an individual described in 42 U.S.C.
 24 1396a(a)(10)(E)(iii).

25 (e) The following individuals are eligible for the specified
 26 coverage under this section:

27 (1) A qualified Medicare beneficiary whose:

28 (A) income does not exceed one hundred ~~fifty~~ percent
 29 ~~(150%)~~ **(100%)** of the federal income poverty level; and

30 (B) resources do not exceed the resource limits established
 31 by the office;

32 is eligible for Medicare Part A and Medicare Part B premiums,
 33 coinsurance, and deductibles.

34 (2) A specified low-income Medicare beneficiary whose:

35 (A) income does not exceed one hundred ~~seventy twenty~~
 36 ~~percent (170%)~~ **(120%)** of the federal income poverty
 37 level; and

38 (B) resources do not exceed the resource limits set by the
 39 office;

40 is eligible for coverage of Medicare Part B premiums.

41 (3) A qualifying individual whose:

42 (A) income does not exceed one hundred ~~eighty-five~~

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1 **thirty-five percent** ~~(185%)~~ **(135%)** of the federal income
 2 poverty level; and
 3 (B) resources do not exceed the resource limits set by the
 4 office;
 5 is eligible for coverage of Medicare Part B premiums.

6 (f) The office may adopt rules under IC 4-22-2 to implement this
 7 section.

8 SECTION 4. IC 12-15-14-8, AS AMENDED BY P.L.241-2023,
 9 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]: Sec. 8. (a) The office may implement an end of
 11 therapy reclassification methodology in the RUG-IV, 48-Group model
 12 or its successor for payment of nursing facility services.

13 (b) Before the office changes a health facility service
 14 reimbursement that results in a reduction in reimbursement, the office
 15 shall provide public notice of at least ~~one (1) year~~; **six (6) months**. The
 16 public notice under this subsection:

- 17 (1) is not a rulemaking action or part of the administrative
 18 rulemaking process under IC 4-22; and
- 19 (2) must include the fiscal impact of the proposed
 20 reimbursement change.

21 ~~← SECTION 5. IC 12-15-34-14.5 IS REPEALED [EFFECTIVE~~
 22 ~~UPON PASSAGE]. Sec. 14.5. (a) This section is effective beginning~~
 23 ~~July 1, 2017.~~

24 ~~— (b) The office of the secretary may not reduce reimbursement for~~
 25 ~~home health services.~~

26 ~~— (c) 405 IAC 1-4.2-4(i) and any successor rule concerning reducing~~
 27 ~~home health services reimbursement are void and may not be renewed~~
 28 ~~or otherwise implemented.~~

29 > SECTION ~~<6>~~ **[5]**. IC 29-1-14-1, AS AMENDED BY
 30 P.L.99-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in
 32 IC 29-1-7-7, all claims against a decedent's estate, other than expenses
 33 of administration and claims of the United States, the state, or a
 34 subdivision of the state, whether due or to become due, absolute or
 35 contingent, liquidated or unliquidated, founded on contract or
 36 otherwise, shall be forever barred against the estate, the personal
 37 representative, the heirs, devisees, and legatees of the decedent, unless
 38 filed with the court in which such estate is being administered within:

- 39 (1) three (3) months after the date of the first published notice to
 40 creditors; or
- 41 (2) three (3) months after the court has revoked probate of a will,
 42 in accordance with IC 29-1-7-21, if the claimant was named as

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- 1 a beneficiary in that revoked will;
 2 whichever is later.
- 3 (b) No claim shall be allowed which was barred by any statute of
 4 limitations at the time of decedent's death.
- 5 (c) No claim shall be barred by the statute of limitations which was
 6 not barred at the time of the decedent's death, if the claim shall be filed
 7 within:
- 8 (1) three (3) months after the date of the first published notice to
 9 creditors; or
- 10 (2) three (3) months after the court has revoked probate of a will,
 11 in accordance with IC 29-1-7-21, if the claimant was named as
 12 a beneficiary in that revoked will;
 13 whichever is later.
- 14 (d) All claims barrable under subsection (a) shall be barred if not
 15 filed within nine (9) months after the death of the decedent.
- 16 (e) Nothing in this section shall affect or prevent any action or
 17 proceeding to enforce any mortgage, pledge, or other lien upon
 18 property of the estate.
- 19 (f) Nothing in this section shall affect or prevent the enforcement
 20 of a claim for injury to person or damage to property arising out of
 21 negligence against the estate of a deceased tortfeasor within the period
 22 of the statute of limitations provided for the tort action. A tort claim
 23 against the estate of the tortfeasor may be opened or reopened and suit
 24 filed against the special representative of the estate within the period
 25 of the statute of limitations of the tort. Any recovery against the tort
 26 feisor's estate shall not affect any interest in the assets of the estate
 27 unless the suit was filed within the time allowed for filing claims
 28 against the estate. The rules of pleading and procedure in such cases
 29 shall be the same as apply in ordinary civil actions.
- 30 (g) A claim by the unit against a decedent's estate is forever barred
 31 unless:
- 32 (1) the unit files a claim in the court in which the decedent's
 33 estate is being administered; or
- 34 (2) the unit opens an estate for the decedent and files a claim
 35 against the decedent in the estate;
 36 not later than ~~one hundred twenty (120)~~ **three hundred sixty-five**
 37 **(365)** days after the date of death of the decedent.
- 38 SECTION ~~<=>~~[6]. **An emergency is declared for this act.**

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