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SENATE BILL No. 275

Proposed Changes to January 29, 2026 printing by AM027511

DIGEST OF PROPOSED AMENDMENT

Medicaid eligibility. Deletes provisions reducing the income levels as a percentage of the federal poverty level for purposes of the Medicaid eligibility of certain Medicare beneficiaries.

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 level;~~
 37 ~~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>~~[3]. IC 12-15-14-8, AS AMENDED BY
 9 P.L.241-2023, SECTION 15, IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The office
 11 may implement an end of therapy reclassification methodology in the
 12 RUG-IV, 48-Group model or its successor for payment of nursing
 13 facility services.

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

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

22 SECTION ~~<5>~~[4]. IC 12-15-34-14.5 IS REPEALED [EFFECTIVE
 23 UPON PASSAGE]. Sec. 14.5: (a) ~~This section is effective beginning~~
 24 ~~July 1, 2017.~~

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

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

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

- 40 (1) three (3) months after the date of the first published notice to
- 41 creditors; or
- 42 (2) three (3) months after the court has revoked probate of a will,

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

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