

**IC 16-35**

**ARTICLE 35. CHILDREN'S HEALTH**

**IC 16-35-1**

**Chapter 1. Maternal and Child Health Services**

**IC 16-35-1-1**

**Municipal corporation defined**

Sec. 1. As used in this chapter, "municipal corporation" means a:

- (1) county;
- (2) township;
- (3) city;
- (4) town; or
- (5) school corporation;

that makes provisions for conducting any kind of health work of a character qualified to comply with this chapter.

*As added by P.L.2-1993, SEC.18.*

**IC 16-35-1-2**

**Cooperation with federal Children's Bureau**

Sec. 2. The state department shall cooperate with the Children's Bureau of the United States Department of Labor to do the following:

- (1) Extend and improve services for the promotion of the health of mothers and children, especially in rural areas and in areas suffering from severe economic distress.
- (2) Provide for the extension and improvement of maternal and child health services administered by municipal corporations and health districts of the state.
- (3) Develop demonstration services in needy areas and among groups in special need.
- (4) Cooperate with medical, dental, nursing, educational, and welfare groups and organizations of Indiana.
- (5) Develop plans necessary to effectuate the services contemplated in this section and to comply with the regulations of the Children's Bureau of the United States Department of Labor issued under the federal Social Security Act (42 U.S.C. 701 et seq.).

*As added by P.L.2-1993, SEC.18.*

**IC 16-35-1-3**

**Cooperation with federal Public Health Service**

Sec. 3. The state department shall cooperate with the Public Health Service of the United States Department of the Treasury to do the following:

- (1) Establish and maintain adequate public health services, including the training of the proper personnel to administer the public health work of the state and of the respective municipal corporations and health districts of the state.
- (2) Conduct investigations relating to disease and the problems

of sanitation.

(3) Develop plans necessary to effectuate the services contemplated in this section and to comply with the regulations of the Public Health Service of the United States Department of the Treasury issued under the federal Social Security Act (42 U.S.C. 701 et seq.).

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-4**

##### **Duties of department**

Sec. 4. The state department shall do the following:

(1) Make reports that are in the form and that contain the information required by the Children's Bureau of the United States Department of Labor or the Public Health Service of the United States Department of the Treasury.

(2) Comply with any other requirements the United States Department of Labor or the United States Department of the Treasury finds necessary to assure the correctness and verification of reports.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-5**

##### **Acceptance of federal Social Security Act**

Sec. 5. (a) The state accepts all of the provisions and benefits of the Social Security Act enacted by the United States Congress and approved on August 14, 1935.

(b) Under this chapter, the state department:

(1) may administer; and

(2) shall observe and comply with all of the requirements of; the Social Security Act and any amendments to the Social Security Act and the regulations issued under the Social Security Act.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-6**

##### **Treasurer as custodian of federal Social Security money received**

Sec. 6. (a) The treasurer of state shall serve as the custodian of money that is received by the state from appropriations made by the United States Congress for the purpose of cooperating with the several states in the enforcement and administration of the federal Social Security Act.

(b) Under this chapter, the state department may administer the money received under subsection (a), and the treasurer of state may do the following:

(1) Receive the money.

(2) Pay the money into the proper account of the state general fund.

(3) Provide for the proper custody of the money.

(4) Make disbursements from the proper account on the order of the state department on which the warrant of the auditor of state shall be issued.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-7**

##### **Disposition of federal Social Security money received; accounts; vouchers**

Sec. 7. (a) The money received from the federal government by the treasurer of state to defray the expenses and to pay the claims and obligations incurred in the administration of the federal Social Security Act shall be paid into the following accounts of the state general fund:

(1) Money received as aid for the promotion of the health of mothers and children shall be paid into the maternal and child health account.

(2) Money received as aid for the establishment and maintenance of public health services shall be paid into the public health service account.

(b) Vouchers issued for the disbursement of money from the maternal and child health account and the public health service account shall be issued on order of the state department and shall be signed by the state health commissioner.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-8**

##### **Department to cooperate with federal government in administering federal Social Security Act**

Sec. 8. (a) The state department is designated as the state agency to cooperate with the federal government in the administration of the provisions of Part I of Title 5 and of Title 6 of the federal Social Security Act.

(b) The state department shall cooperate with the proper departments of the federal government in the enforcement and administration of:

- (1) the provisions of;
- (2) amendments to; and
- (3) regulations issued under;

the federal Social Security Act in the manner prescribed in this chapter or as otherwise provided by law.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-9**

##### **Administrative personnel; cooperative agreements with health authorities of municipal corporations or health districts**

Sec. 9. (a) The regular employees of the state department may be assigned to the performance of the duties prescribed in this chapter either on a full-time or part-time basis. Additional qualified personnel may be employed as the state department determines is necessary to administer this chapter.

(b) The state department may enter into a cooperative agreement with the health authorities of a municipal corporation or health district under which assistants, investigators, and employees may be

appointed who are necessary and qualified to cooperate with the state department and the federal government in conducting the health work in the municipal corporation or health district, in conformity with the following:

- (1) This chapter and rules adopted under this chapter.
- (2) The federal Social Security Act and regulations adopted under the federal Social Security Act.

(c) The state department:

- (1) may make allotments from the state department's money to a municipal corporation or health district; and
- (2) shall cause to be deposited in a separate health fund of the municipal corporation or the health district an amount not to exceed an allotment.

(d) Agreements may be made under which:

- (1) at least two (2) municipal corporations or health districts may cooperate with the state department; and
- (2) the expenses incurred in conducting health work shall be allocated between or among the municipal corporations and health districts and the state department;

as may be mutually agreed upon. Appointments are subject to the approval of the state department. The state department may pay a proportionate share of the salaries and expenses of assistants, investigators, and employees as may be agreed upon by the state department and the health authorities of a municipal corporation or health district as prescribed in cooperative agreements.

*As added by P.L.2-1993, SEC.18.*

#### **IC 16-35-1-10**

#### **Medical examination or treatment of adult person or dependent child less than 18 years of age; religious objections; discrimination; consent; limitations**

Sec. 10. (a) An official, an agent, or a representative of:

- (1) the state;
- (2) a political subdivision or municipal corporation;
- (3) a board, a bureau, a district, a welfare group, or an organization referred to in this chapter; or
- (4) the federal Public Health Service when cooperating with an official, an agent, or a representative described in subdivisions (1) through (3);

may not compel an adult person or a dependent child less than eighteen (18) years of age to submit to a medical examination or treatment when the adult person or the parent or guardian of the child objects to the medical examination or treatment on religious grounds and may not permit discrimination against a dependent child less than eighteen (18) years of age or adult person because of the medical examination or treatment.

(b) This section does not limit the powers of:

- (1) the state department;
- (2) a local board of health; or
- (3) other public health authority;

to establish quarantine, as provided by law, for the purpose of preventing the spread of communicable disease.

(c) A person who is at least eighteen (18) years of age is competent with regard to age to give consent or to object to the treatment or examinations required by this section.

*As added by P.L.2-1993, SEC.18.*