

IC 16-35-2

Chapter 2. Assistance to Children With Special Health Care Needs

IC 16-35-2-1

Children defined

Sec. 1. As used in this chapter, "children" refers to children with special health care needs.

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

IC 16-35-2-2

Administering federal Social Security money; cooperation with federal agencies

Sec. 2. (a) The state department shall administer the federal money provided for services to children under the federal Social Security Act (42 U.S.C. 701 et seq.).

(b) In the administration of the money, the state department shall cooperate with the United States Department of Health and Human Services and other federal and state agencies to do the following:

(1) Extend and improve services for locating children and for providing medical, surgical, corrective, and other services and care, and facilities for diagnosis, hospitalization, and aftercare for children who are suffering from conditions that lead to special health care needs.

(2) Cooperate with medical, health, nursing, and welfare groups and organizations of Indiana in the enforcement and administration of this section.

(3) Develop plans that are necessary to effectuate the services contemplated in this section and to comply with the regulations and requirements of the United States Department of Health and Human Services under the federal Social Security Act.

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

IC 16-35-2-3

Appointment of director of program

Sec. 3. The state health commissioner shall appoint a director of the program for children with special health care needs.

As added by P.L.2-1993, SEC.18. Amended by P.L.156-2011, SEC.32.

IC 16-35-2-4

Assignment of eligible child for care, services, or treatment; contracting

Sec. 4. (a) A child with special health care needs who has been determined to be financially and medically eligible according to rules adopted by the state department may be assigned for care, services, or treatment to any of the following:

(1) A public or private hospital licensed under IC 16-21-2.

(2) A diagnostic and treatment center.

(3) A licensed physician.

- (4) Other participating providers under this chapter.
- (b) The state department may contract for any service necessary to administer the program for children with special health care needs, including the following:
 - (1) The determination of medical eligibility.
 - (2) The development and implementation of a certification program for physicians serving children with special health care needs.
 - (3) The development of standards of care for children with special health care needs.

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

IC 16-35-2-5

Designation of categories of services, materials, and care to be paid for out of federal Social Security money received

Sec. 5. The state department may designate certain categories of services, materials, and care that shall be paid for out of money received from the federal government for services for children in conformity with the federal Social Security Act (42 U.S.C. 701 et seq.) and the regulations adopted under the federal Social Security Act.

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

IC 16-35-2-6

Fees and charges same as Medicaid

Sec. 6. The fees and charges paid to providers of services, care, and materials under this chapter shall be at the same amounts as those allowed by the Medicaid program (42 U.S.C. 1396 et seq.).

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

IC 16-35-2-7

Uniform rules; adoption

Sec. 7. The state department shall adopt uniform rules under IC 4-22-2 to do the following:

- (1) Determine medical eligibility.
- (2) Determine financial eligibility.
- (3) Certify licensed physicians serving children with special health care needs.
- (4) Develop standards of care for children with special health care needs.
- (5) Determine the types of care, services, and materials that the state department will reimburse under this chapter.
- (6) Determine the duration of care that the state department will reimburse providers under this chapter.

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

IC 16-35-2-8

State or federal higher education awards as not affecting eligibility for assistance

Sec. 8. If an individual receives a state or federal higher education

award that is paid directly to an approved postsecondary educational institution for the individual's benefit:

- (1) the individual is not required to report that award as income or as a resource of the individual when applying for assistance for a destitute child under this chapter; and
- (2) the award shall not be considered as income or a resource of the individual in determining initial or continuing eligibility for assistance under this chapter.

As added by P.L.2-1993, SEC.18. Amended by P.L.2-2007, SEC.193.

IC 16-35-2-9

Cystic fibrosis; services extended to afflicted persons

Sec. 9. The state department shall extend care, services, and materials provided under this chapter to persons with cystic fibrosis who are at least twenty-one (21) years of age. The services shall be extended under the same criteria that are applicable to persons who are less than twenty-one (21) years of age.

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

IC 16-35-2-10

Children with autism

Sec. 10. (a) An individual who:

- (1) has autism (as defined in IC 12-7-2-19(b)); and
- (2) is less than twenty-one (21) years of age;

has an eligible medical condition under this chapter.

(b) The state department shall extend all care, services, and materials provided under this chapter to an individual described in subsection (a) who meets any additional eligibility criteria established by the state department under this chapter.

As added by P.L.79-1999, SEC.2. Amended by P.L.99-2007, SEC.159.