

#### **IC 16-32-4**

### **Chapter 4. Developmental Disability Bracelet and Identification Card**

#### **IC 16-32-4-1**

##### **"Autism spectrum disorder"**

Sec. 1. As used in this chapter, "autism spectrum disorder" has the meaning set forth in the most recent edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.

*As added by P.L.56-2016, SEC.2.*

#### **IC 16-32-4-2**

##### **"Developmental disability"**

Sec. 2. As used in this chapter, "developmental disability" has the meaning set forth in IC 12-7-2-61.

*As added by P.L.56-2016, SEC.2.*

#### **IC 16-32-4-3**

##### **Request for bracelet or identification card; presentation to law enforcement officer; rules**

Sec. 3. (a) Upon the request of:

- (1) an individual who has been medically diagnosed with a developmental disability, including autism spectrum disorder;
- (2) the parent or guardian acting on behalf of an individual who is described in subdivision (1) and is a minor; or
- (3) the parent or guardian acting on behalf of an individual who is described in subdivision (1) and is an incapacitated person (as defined in IC 29-3-1-7.5);

the state department shall issue a bracelet or an identification card indicating that the individual has been medically diagnosed with a developmental disability. An individual described in this subsection may request, and the state department shall issue, both a bracelet and the identification card.

(b) The:

- (1) bracelet or identification card issued under this chapter; and
- (2) individual's driver's license (as defined in IC 9-28-2-4) or identification card (as defined in IC 9-13-2-74.5);

may be presented to a law enforcement officer, as necessary.

(c) The state department shall adopt rules under IC 4-22-2 concerning the information that must be submitted to obtain a bracelet or an identification card under subsection (a).

*As added by P.L.56-2016, SEC.2.*

#### **IC 16-32-4-4**

##### **Fees; rules**

Sec. 4. (a) The state department may charge a reasonable fee, as determined by the state department, for a bracelet and an

identification card issued under this chapter.

(b) The state department shall adopt rules under IC 4-22-2 concerning the information that appears on a bracelet or an identification card, including information that identifies an individual's specific developmental disability.

*As added by P.L.56-2016, SEC.2.*

#### **IC 16-32-4-5**

#### **Confidential information; release of information prohibited; court orders; liberal construction of section**

Sec. 5. (a) Except as provided in subsection (c), information collected under this chapter:

- (1) is confidential; and
- (2) is exempt from disclosure.

(b) Information collected under this chapter may not be released under a subpoena, search warrant, or any civil discovery proceedings.

(c) A court, acting on a pleading or motion, may issue an order directing the release of specific information collected under this chapter after all the following have occurred:

- (1) The person requesting the court order has sent the state department a pleading or motion:
  - (A) stating that an emergency exists and that the information cannot be collected through any other means; and
  - (B) requesting that the information be released.
- (2) The state department has been allowed to respond to the pleading or motion requesting the release of information.
- (3) The court has conducted an in camera review of the requested information.
- (4) After considering the response of the state department and reviewing the information submitted to the court, the court finds by clear and convincing evidence that:
  - (A) an emergency exists and that the information cannot be collected through any other means; and
  - (B) the reasons for ordering release of the information outweigh the reasons for not disclosing the information.

(d) This section shall be construed liberally to protect the confidentiality and prevent the disclosure of the information collected by the state department under this chapter.

*As added by P.L.56-2016, SEC.2.*