



THE CORYDON GROUP

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SESSION - Week 1

IOA Weekly Update

Click here for current bill track:
<http://tinyurl.com/IOAbilltrack>

The above link is a live link with bills that we will be monitoring for IOA. You can click on this link at any time to see a real-time update on where these bills are at in the legislative process.

Sen. Brent Steele (R - Bedford) has filed SB 152 – Medical Malpractice and it has been referred to the Senate Judiciary committee. This year the bill would not only raise the overall cap from \$1.25 million to \$1.65 million but would also raise the provider liability portion from \$250,000 to \$450,000. These cap amounts would be raised in following years based on the Consumer Price Index. It also raises the amount by which a plaintiff can bypass the medical review panel process and take their case directly to court from \$15,000 to \$75,000. Please read the digest for more details, which is included on your track list.

Please review all of the pseudoephedrine bills at your convenience. SB 80, authored by Sen. Head, is likely to be the compromise bill to prescription-only that will carry the most weight. I would suggest having the board review this piece of legislation to take a position on. All of the digests of the controlled substance bills are included on your track list.

SB 174 was heard in committee this week. There are a lot of things in it that need ironed out. ISMA and the nurses association testified against the bill but said they were willing to work with the bill authors on it.

The bill filing deadline is next week so we will see the rest of the bills then and ones of import will be added to your track list.

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The Indiana General Assembly convened on Tuesday to begin the 2016 legislative session. Lawmakers face a compact legislative timeline due to the short legislative session which will conclude in March. In the span of less than three months, lawmakers have a host of pressing issues to address, among them civil rights issues, improving the state's roads, increasing the number of Indiana educators, addressing issues with ISTEP, and finding a solution to the rising abuse of methamphetamines and heroin.

Governor Mike Pence also released his legislative agenda. Included in his agenda are:

- Providing \$1 billion in new state road funding without raising taxes.
- Releasing \$418 million in Local Option Income Tax (LOIT) reserves to improve local roads and bridges.
- Expanding the Regional Cities initiative from two proposals to three.
- Allowing businesses to be certified as veteran-owned.
- Expanding the misfueling immunity statute to use of ethanol fuels.
- Pausing negative changes in teacher pay and school A-F grades due to the transition to a new test during this year.

- Increasing penalties for drug dealers convicted of serious and aggravated offenses.
- Establishing the Indiana Commission to Combat Drug Abuse.
- Expanding protections under the Lifeline Law.
- Ensuring statewide availability of the overdose intervention drug Naloxone.
- Codifying the HIP 2.0 program.
- Creating a savings program for the caretakers of special needs individuals for disability-related costs which would not place other benefits at risk.
- Adding human trafficking to the Child In Need of Services (CHINS) statute.

Notably absent from the governor's agenda was a stance regarding SB 100 - protected class status for sexual orientation and gender identity. However, the governor has a history of opposing pro-LGBT policies suggesting SB 100 may find additional resistance from his office.

While leadership in the House and Senate largely agree with the governor's major goals, namely pausing education

accountability, increasing road funding, and addressing drug abuse, a competing plan to address road funding surfaced in the House, suggesting that leadership agrees with the governor's goals but may take issue with his means to accomplish them.

In national news, political discussion surrounding firearms has intensified following President Obama's announcement of a series of executive actions, including one which restricts some private transactions – namely the “gun show loophole.” The President pushed for tougher gun legislation in Congress but was unable to garner enough support, leading him to pursue regulations via executive order.



Dates to Remember

January 8th: Senate Bill Filing Deadline

January 12th: House Bill Filing Deadline

January 12th: State of the State

January 18th: MLK Day (Statehouse Closed)

January 28th: House and Senate Committee Report Deadline

February 3rd: 3rd Reading Deadline for House and Senate

House Minority Leader Scott Pelath (D – Michigan City) delivered the opening remarks to the 2016 legislative session. In his speech, Rep. Pelath stressed the importance of boosting funding for infrastructure and chastised educational reforms passed by the General Assembly in past sessions – arguing for less involvement in the state’s classrooms. Rep. Pelath also voiced support for legislation establishing protected class status for gender identity and sexual orientation.

While the House only convened briefly twice during the week, committees in both chambers have already been assigned a series of bills.

Of note is a bill authored by Rep. Robert Behning (R – Indianapolis) which addresses teacher performance pay in the wake of disappointing ISTEP scores released by the Department of Education on Wednesday. The results show that 53.4 percent of students passed both portions of the exam – a 21 percentage point drop from the previous year. The Department of Education cites more challenging exams as the reason behind the passing rate drop, a situation which was exacerbated by errors in the computer-delivered tests and long delays in score reporting. The measure introduced by Rep. Behning will likely find broad support in both

houses, as well as with the governor, and is expected to be signed into law by the end of the month.

While measures to insulate teachers and schools from low ISTEP scores hold bipartisan support, measures introduced by Rep. Jim Lucas (R – Seymour) will likely be more politically divisive. HB 1055 prohibits the ban of firearms on state property, including public universities, while HB 1056 aims to remove the need for gun owners to obtain a license. Rep. Lucas has also introduced a bill to eliminate state marriage licenses, instead basing marriage on a contract.

Legislation also seems likely to be introduced by Rep. Tom Dermody (R – LaPorte) next week to remove the ban on Sunday alcohol sales. Rep. Dermody, chairman of the House Public Policy Committee, introduced similar legislation last year but ultimately did not bring the measure to a vote, claiming he did not have the support necessary for the measure to pass.



On Wednesday, Senate Republicans revealed their 2016 legislative agenda:

- Provide \$418 million for improvements to local roads and bridges.
- Fully fund a third Regional Cities project using revenues from the 2015 tax amnesty program.
- Prevent 2015 school A-F grades from dropping in response to ISTEP problems.
- Support companion legislation in the House to remove ISTEP scores and A-F grades from teacher evaluations for one year.
- Allow courts to convict people caught with large amounts of drugs as dealers, not just users. Companion legislation in the House would establish mandatory minimum sentences for drug dealers.
- Expand eligibility for assistance from the Military Family Relief Fund (MFRF) and add a box to Indiana tax returns allowing Hoosiers to donate a portion of their tax refund to the MFRF.

- Limit increases in the per-acre base rate for farmland property-tax assessment and permanently halt an increase in soil productivity factors.
- Raise the award caps for medical malpractice cases, indexing the caps to inflation and raising the dollar-limit cap for small malpractice claims.

Sen. R. Michael Young (R – Indianapolis) also introduced SB 66 which would repeal the hotly debated SEA 101 - Religious Freedom Restoration Act passed last session, and replace it with legislation naming six constitutional rights to be "treated with the greatest deference" by the government:

- the right to worship,
- the right to free exercise and of conscience,
- the right to freedom of religion,
- the right to freedom of thought and speech,
- the right of assemblage and petition, and
- the right to bear arms.

Sen. Young's bill came on the heels of SB 100, revealed prior to session by Senate GOP leadership, which establishes protected class status for sexual orientation and gender identity. SB 100, however, allows schools and employers to determine restroom policies and offers some religious concessions. The bill has received criticisms from both sides, with Republicans arguing that it is only an effort to save face in the wake of RFRA, and Democrats arguing that the bill does not provide strong enough protections.

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