

# 2021 School Health Legislation Updates



**Presented by Mark A Fairchild, MSW, LSW**  
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# Presentation Overview

- ▶ Introduction
- ▶ School Health Legislation Walkthrough
- ▶ Other 2021 School Health Legislation
- ▶ Ways for You to Advocate
- ▶ Advocacy Dos and Do-Nots
- ▶ Shameless Advocacy Plugs

# Speaker Introduction

**Mark A. Fairchild, MSW, LSW**

**Director of Policy & Communication**

**Covering Kids & Families of Indiana**

- ✓ Licensed Social Worker
- ✓ Registered Lobbyist w/ the State of Indiana
  - ✓ Healthcare Insurance Proponent
  - ✓ Born and Raised in Rural Michigan
  - ✓ Graduate School at Ohio State
- ✓ Smart Enough to Not Discuss College Sports
  - ✓ Passionate about Building Advocates

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

Authored by [Sen. Andy Zay](#)

Known as SB 51, HB 1405 and Public Law 196

- ▶ Allows Indiana school corporations to seek Medicaid reimbursement for medically necessary, school-based Medicaid covered services already provided (and paid for by schools under federal or state mandates.
- ▶ This roughly 2/3 reimbursement could then be used for other school expenses, special projects and programs.
- ▶ Indiana already allows for reimbursement of services delivered under Individualized Education Programs; this bill adds Section 504 plans, behavioral intervention plans, individualized healthcare plans and nursing services by a licensed nurse.

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

#### Senate Activity & Interventions

- ▶ Was assigned to the Senate Health and Provider Services committee, where it was heard twice.
- ▶ The committee members had many questions regarding the cost to the state and schools, as well as whether the bill would expand services and/or have more children qualified for Medicaid. Concerns regarding abortion information and services provided by schools were also raised.
- ▶ CKF Schools & Early Childhood Committee was briefed on the concerns, given talking points and encouraged to call and email legislators on the Health and Provider Services committee.

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

#### Senate Activity & Interventions

- ▶ Concerned legislators responded well to the expertise offered to them, particularly by school nurses.
- ▶ Call-backs by legislators led to a de-escalation of key concerns and opportunities to create long-term legislator relationships.
- ▶ The bill was amended in committee without altering its original intentions, albeit with unnecessary abortion related language, and passed out of Health and Provider Services 11-0.
- ▶ The bill was then heard on the Senate floor, where it was voted through unanimously 46-0 by the Senate.

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

#### House Activity & Interventions

- ▶ After crossing over to the Indiana House of Representatives, the bill was assigned to the House Ways and Means committee. This committee is responsible for vetting fiscal concerns and crafting the biennial state budget.
- ▶ The assignment was problematic and added confusion for the bill, since it had no fiscal impact to the state.
- ▶ Legislators on the committee questioned the author on potential fiscal concerns. The author admitted to limited understanding of Medicaid reimbursement and had few answers. The bill was held by the Chair of the committee in lieu of the concerns.

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

#### House Activity & Interventions

- ▶ Covering Kids & Families, our Schools and Early Childhood Committee and intern team performed outreach to all the Ways and Means Committee Members in an attempt to ensure a second hearing.
- ▶ Unfortunately, the bill was not prioritized and seemed unlikely to receive a second hearing.
- ▶ To keep it moving forward the language of the bill was amended into another bill, House Bill 1405, that was moving through the Senate.
- ▶ House Bill 1405, with the Medicaid reimbursement language from Senate Bill 51 now amended into it, passed the Senate on a vote of 47-0.

# 2021 General Assembly

## - Advocacy Success Walkthrough -

### Medicaid Reimbursement for Schools

#### House Activity & Interventions

- ▶ Since the language was not original to House Bill 1405 and had not passed through a House committee, however, a conference committee requested by the House of Representatives.
- ▶ Conference committees bring together leading voices on the bill from the House and Senate to resolve disagreements between changes made on either side.
- ▶ Although there was controversy regarding how the Senate Bill 51 language was added, we continued education efforts and it survived with minor changes.
- ▶ The Governor signed the language into law on April 29, officially making it Public Law 196.

# 2021 General Assembly

## - Key Legislation -

### HB 1468: Various Health Matters

Authored by Rep. Steven Davisson

- ▶ After June 30, 2022, if a school issues a student identification card to a student in grades 6-12, the school shall include on that card:
- ▶ The 9-8-8 suicide prevention hotline (once launched).
- ▶ A local, state, or national human trafficking hotline number that provides 24/7 support.
- ▶ A local, state, or national sexual assault hotline number that provides 24/7 support.
- ▶ A local, state, or national teen dating violence hotline number that provides 24/7 support.
- ▶ Any text messaging information for the above lines.

# 2021 General Assembly

## - Key Legislation -

### HB 1045: Preschool & Child Care Facility Drinking Water

Authored by Rep. Carolyn Jackson

- ▶ Required that a childcare facility or preschool to test its drinking water before January 1, 2024, to determine whether lead is present in the drinking water in a concentration equal to or exceeding 15 parts per billion. Required action be taken if lead concentration is above this threshold.
- ▶ Followed legislation for lead testing in schools, noting that childcare and preschool aged children are much more vulnerable to lead exposure effects.
- ▶ **DID NOT PASS - ADVOCACY OPPORTUNITY**

# 2021 General Assembly

## - Key Legislation -

### HB 1444: Comprehensive Student Support Program

- ▶ Authored by Rep. Robin Shackelford
- ▶ Would provide annual grants to school corporations to assist in improving student support staff ratios and establishing comprehensive student support teams to improve the school environment, school safety, and equitable student academic success and outcomes.
- ▶ Would require a 10% match from the school corporation and data collection related to student support services.
- ▶ Would create the Comprehensive Student Support Services board to oversee grants and provide support.
- ▶ **DID NOT PASS - ADVOCACY OPPORTUNITY**

# Simple Ways to Advocate

- ▶ Meet with or contact your legislators
  - ▶ <http://iga.in.gov/legislative/find-legislators/>
  - ▶ In-person meetings can be easier and more productive outside of session when legislators have more time.
- ▶ Make others aware of an issue or bill:
  - ▶ <http://iga.in.gov/legislative/2021/bills/>
- ▶ Offer expert testimony on an issue:
  - ▶ <http://iga.in.gov/legislative/2021/committees/standing>
  - ▶ Expert testimony is a lobbying activity when you make a clear expectation of how legislators should act on a bill. Even if not suggesting a specific action, your employer will generally want to know if you are speaking for the organization, or that it be done outside of work hours if speaking as an individual.

# Simple Ways to Advocate

- ▶ Partner with legislators to craft/pass a bill
  - ▶ This is generally a lobbying activity unless strictly educating legislators on the issue or providing expert knowledge on the issues related to the bill.
- ▶ Circulate information on committees, bills, issues or other legislative activities
  - ▶ <http://iga.in.gov/>
  - ▶ Lookup legislators, bills and committees, check committee and statehouse schedules.
  - ▶ Watch live and recorded committee meetings and House or Senate sessions.
- ▶ Help gather experts and stakeholders
  - ▶ Always allowable for you as a private individual, even when you feel that you cannot act directly.

# Advocacy “Dos”

- ▶ Be prepared and remember you are an expert
- ▶ Have a goal in mind for meetings and relationships
- ▶ Remember your interpersonal skills:
  - ▶ Working with adversarial persons
  - ▶ Affirming positive intentions
  - ▶ Finding common ground
  - ▶ Building long-term relationships
  - ▶ Addressing stereotypes and misconceptions tactfully
- ▶ Offer your assistance at a broad, ongoing level
- ▶ Start your work well before session
- ▶ Stay positive, even when things move slowly
- ▶ Remember your support systems!

# Advocacy “Do-Nots”

- ▶ Do not assume other’s knowledge of the issue
- ▶ Do not overstate your knowledge or “guess”
- ▶ Do not go in with a hostile attitude
- ▶ Do not engage in partisan politics
- ▶ Do not argue solely as moral or right vs. wrong
- ▶ Do not reinforce stereotypes of your field
- ▶ Do not make false promises
- ▶ Do not offer problems without solutions
- ▶ **DO NOT GIVE UP!**

# Shameless Plugs

(a.k.a Covering Kids & Families  
Advocacy Opportunities)

- ▶ **CKF Schools & Early Childhood Committee**
  - ▶ **CKF Policy & Provider Committee**
  - ▶ **CKF State of Coverage Policy Summit**
    - ▶ **CKF News & Views Newsletter**
    - ▶ **CKF Policy & Advocacy Practicums**



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