

**Document:** Proposed Rule, **Register Page Number:** 28 IR 3656  
**Source:** September 1, 2005, Indiana Register, Volume 28, Number 12

**Disclaimer:** This document was created from the files used to produce the official CD-ROM Indiana Register.

**TITLE 407 OFFICE OF THE CHILDREN'S HEALTH  
INSURANCE PROGRAM**

**Proposed Rule**  
LSA Document #05-155

DIGEST

Amends 407 IAC 2-2-3 to eliminate the two-year time limit on the collection of past due premiums. Effective 30 days after filing with the Secretary of State.

**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

Indiana Code 4-22-2.1-5 requires an agency to submit to the Legislative Services Agency and the Indiana Economic Development Corporation a statement of economic impact of any proposed rule with an economic impact on small businesses. The IEDC is required to review the rule and submit written comments to the agency no later than seven days before the public hearing.

The Children's Health Insurance Program has reviewed the proposed rule to determine the economic impact of the rule on small businesses. The Children's Health Insurance Program has determined, based on the information available at the time of rule promulgation, that the proposed rule does not have an economic impact on small businesses. Therefore, the agency did not submit a statement of economic impact to the Legislative Services Agency and the Indiana Economic Development Corporation.

**407 IAC 2-2-3**

SECTION 1. 407 IAC 2-2-3 IS AMENDED TO READ AS FOLLOWS:

**407 IAC 2-2-3 Agreement to pay cost sharing**

**Authority:** IC 12-17.6-2-11

**Affected:** IC 12-17.6-3-2

Sec. 3. (a) As a condition of eligibility for CHIP, at least one (1) of the following individuals must agree to pay the cost-sharing required by the office under this title:

- (1) The parent, guardian, or caretaker of an applicant.
- (2) The applicant, if the applicant is either:
  - (A) eighteen (18) years of age and not living with a parent, guardian, or caretaker; or
  - (B) married and living with his or her spouse.

(b) If the individual who agrees to pay cost-sharing for an applicant under this section has failed to pay the required premiums due for any member at any time, ~~within the two (2) years preceding the date of application~~, the individual must pay all premiums due ~~within the past two (2) years~~ before an applicant for whom that individual has cost-sharing responsibility may enroll in the program. An applicant living with an individual who has not failed to pay any past due premiums may be enrolled even though his or her prior parent, guardian, or caretaker failed to pay. (*Office of the Children's Health Insurance Program; 407 IAC 2-2-3; filed May 3, 2000, 2:02 p.m.: 23 IR 2232; errata filed Aug 2, 2000, 3:21 p.m.: 23 IR 3091*)

***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on September 27, 2005 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Office of the Children's Health Insurance Program will hold a public hearing on proposed amendments concerning the elimination of time limitations of collections of past due premiums.*

*Disenrollment from Hoosier Healthwise Package C occurs if an individual responsible for paying a premium incurs a delinquent premium amount greater than two month's worth of premium payments. During this two month time frame, for which no premium*

*payment is received, enrollees continue to be covered by the program and expenses are incurred by the State. Currently, payment of delinquent premiums less than two years old is required in order for an individual to reenroll their children in Hoosier Healthwise Package C. Due to the value of the coverage provided, the state seeks to require payment of overdue premiums, regardless of the date the debt was incurred, in the exercise of prudent fiscal oversight.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Ann Alley  
Director  
Office of the Children's Health Insurance Program