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SEA 529: The Bill Nobody Wants to Claim

Passion is the word for comments on SEA 529

By Cindy Bevington

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Indiana legislators contacted for a story on Senate Enrolled Act 529 (passed in 2005) were nothing less than passionate in expressing their feelings about the law and its effects on Indiana residents, adult or children.



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One part of SEA 529 removes certain children's services from the Family and Social Services Administration and assigns them to a newly-created, cabinet-level agency, the Department of Child Services. In cooperation with that department, it mandates that the Department of Education write something called the Children's Social, Emotional and Behavioral Health Plan.

It also mandates social, emotional and mental health screening as part of routine examinations in schools and by health care providers for children, birth to age 22.

It also removes the cap on the maximum property tax levy a county can assess for welfare issues. In all, the law is dozens of pages long, with most of the legislators championing its repeal for different reasons.

"It's all about the money - Medicaid dollars that come out of everyone's pocket, state or federal," fumed Rep. Jackie Walorski, R-Lakeville, who is holding rallies across the state to raise awareness about the mandatory mental health screening. "They want more Medicaid money coming into the coffers, and this is how they think they're going to get it."

"It is about the money," House minority leader B. Patrick Bauer, D-Gary, agreed. "But it's the huge increase in taxes that is what's bad about this law - next year we're going to see property taxes go up 19 percent, and SEA 529 is one of the elements causing that."

"We were blind-sided and we were not made aware of all the details," countered Rep. Marlin Stutzman, R-Howe. "That year we had a lot of

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bills, with a lot of House bills killed at the final deadline when the Democrats walked out, and we had a lot of bills sent out to be stuck in with Senate bills."

"We didn't walk out," Bauer rebutted. "The Republicans had about 200 bills they were trying to ram through, and we wanted to study them. We were in caucus, trying to sort out what was in these bills."

From Rep. Dick Dodge, R-Pleasant Lake, to Rep. Matt Bell, R-Avilla, to Senators Dennis Kruse, R-Auburn, and Robert Meeks, R-LaGrange, to the law's author, Sen. Connie Lawson, R-Danville, no one seemed to be fully aware of different sections of the law, and the various objections to them. In fact, locally, only Bell and Stutzman knew that the state had mandated mental health testing for all of Indiana's children.

But now that public outcry is arising on various issues concerning SEA 529, and with the General Assembly's next session almost around the corner - and many seats up for election - legislators are working furiously to catch up.

Bauer wants the entire law repealed, along with HB 1001 which, between the two, he said, will cause an increase of more than \$1 billion in taxes next year.

"You are really going to see this in LaGrange, Steuben and DeKalb counties," Bauer said. "The school funding formula alone is \$237 million. This whole thing is going to hit farmers really hard - this property tax thing is huge. It's not just the mental health issue."

While Bauer said he didn't vote on SEA 529 at all, he did acknowledge that, at the time it was going through the assembly, he didn't realize the impact the mental health segment would have on Indiana children.

Walorski said she didn't realize the mental health portion was in there until she heard about it at conference in Arizona. Bell and Stutzman have kept on top of the issues by attending summer rules and promulgation committee or other meetings.

Supporting Documents

- ▶ Children's Social, Emotional and Behavioral Health Plan
- ▶ SEA 529

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- ▶ TeenScreen
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