



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1421 be amended to read as follows:

- 1 Page 4, between lines 38 and 39, begin a new paragraph and insert:
2 "SECTION 3. IC 16-21-9-3.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2021]: **Sec. 3.5. (a) This section does not**
5 **apply to a nonprofit critical access hospital that is not:**
6 **(1) part of a hospital system; or**
7 **(2) an affiliate of a hospital or hospital system.**
8 **(b) Before December 31 of each year, a nonprofit hospital shall**
9 **hold a public forum in which the nonprofit hospital, including the**
10 **nonprofit hospital's board of directors, shall:**
11 **(1) obtain feedback from the community about the nonprofit**
12 **hospital's performance in the previous year; and**
13 **(2) discuss the pricing of health services provided at the**
14 **nonprofit hospital.**
15 **(c) At least fourteen (14) days before the forum held under**
16 **subsection (b), the nonprofit hospital shall post on the nonprofit**
17 **hospital's Internet web site the following:**
18 **(1) A printed notice that:**
19 **(A) is designed, lettered, and featured on the Internet web**
20 **site so as to be conspicuous to and readable by any**
21 **individual with normal vision who visits the Internet web**
22 **site;**
23 **(B) states the date, time, and location of the public forum**
24 **to be held under subsection (b); and**
25 **(C) states that the purpose of the public forum is to provide**
26 **members of the community with an opportunity to:**
27 **(i) comment on the nonprofit hospital's performance in**
28 **the previous year; and**

- 1 (ii) discuss the pricing of health services provided at the
- 2 nonprofit hospital.
- 3 (2) The following information relating to the subjects to be
- 4 discussed at the public forum held under subsection (b):
- 5 (A) The nonprofit hospital's income statement for the
- 6 previous calendar year.
- 7 (B) A written explanation of:
- 8 (i) the nonprofit hospital's pricing of health services in
- 9 comparison to the amounts of reimbursement for the
- 10 health services under the Medicare program; and
- 11 (ii) the rationale for any pricing of health services by the
- 12 nonprofit hospital that is higher than the corresponding
- 13 reimbursement for the health services under the
- 14 Medicare program.
- 15 (C) A written justification for any increase in the nonprofit
- 16 hospital's pricing of health services that occurred in the
- 17 previous year."

18 Page 9, between lines 14 and 15, begin a new paragraph and insert:
 19 "SECTION 13. IC 27-2-26 IS ADDED TO THE INDIANA CODE
 20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2021]:

22 **Chapter 26. Public Forums by Health Carriers**

23 **Sec. 1. (a) As used in this chapter, "health carrier" means an**
 24 **entity:**

- 25 (1) that is subject to IC 27 and the administrative rules
- 26 adopted under IC 27; and
- 27 (2) that enters into a contract to:
- 28 (A) provide health care services;
- 29 (B) deliver health care services;
- 30 (C) arrange for health care services; or
- 31 (D) pay for or reimburse any of the costs of health care
- 32 services.

33 (b) The term includes the following:

- 34 (1) An insurer, as defined in IC 27-1-2-3(x), that issues a
- 35 policy of accident and sickness insurance, as defined in
- 36 IC 27-8-5-1(a).
- 37 (2) A health maintenance organization, as defined in
- 38 IC 27-13-1-19.
- 39 (3) An administrator (as defined in IC 27-1-25-1(a)) that is
- 40 licensed under IC 27-1-25.
- 41 (4) A state employee health plan offered under IC 5-10-8.
- 42 (5) A short term insurance plan (as defined by IC 27-8-5.9-3).
- 43 (6) Any other entity that provides a plan of health insurance,
- 44 health benefits, or health care services.

45 **Sec. 2. (a) Before December 31, a health carrier shall hold a**
 46 **public forum in which the health carrier shall:**

- 47 (1) obtain feedback from the community about the health

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carrier's performance in the previous year; and
(2) discuss the premiums (as defined in IC 27-1-2-3(w))
charged by the health carrier.

(b) The public forum required in subsection (a) must be held in
the municipality where the health carrier's principal office (as
defined in IC 27-1-2-3(l)) is located.

Sec. 3. At least fourteen (14) days before the public forum
required by this chapter is held, the health carrier shall post on the
health carrier's Internet web site the following:

- (1) A printed notice that:
 - (A) is designed, lettered, and featured on the Internet web
site in a manner that is conspicuous and readable by any
individual with normal vision who visits the Internet web
site;
 - (B) states the date, time, and location of the public forum;
and
 - (C) states that the purpose of the public forum is to provide
members of the community with an opportunity to:
 - (i) comment on the health carrier's performance in the
previous year; and
 - (ii) discuss the premiums (as defined in IC 27-1-2-3(w))
charged by the health carrier.
- (2) The following information concerning the subjects to be
discussed at the public forum:
 - (A) The health carrier's profits.
 - (B) The premiums (as defined in IC 27-1-2-3(w)) charged
by the health carrier.
 - (C) The health carrier's strategy to lower health care costs.
 - (D) Any increase in the health care's premiums, on average
statewide, that occurred in the previous year for each
health carrier.
 - (E) The health carrier's income statement for the previous
calendar year.
 - (F) Annual audited financial reports, if required under
IC 27-1-3.5-6."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1421 as printed March 12, 2021.)

Senator MESSMER