

# PROPOSED AMENDMENT

## HB 1457 # 8

### DIGEST

State health laboratory. Specifies: (1) fee schedules for clinical and nonclinical tests; and (2) reimbursement rates for specified laboratory certifications from Indiana laboratories and laboratories outside of Indiana; performed by the state health laboratory. Establishes the state health laboratory fund. Repeals language concerning certain fees for testing water.

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- 1       Page 2, between lines 11 and 12, begin a new paragraph and insert:  
2       "SECTION 3. IC 16-19-5-1, AS AMENDED BY P.L.143-2022,  
3       SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4       JULY 1, 2025]: Sec. 1. (a) In addition to other fees provided by this  
5       title, the state department may establish and collect reasonable fees for  
6       specific services described under subsection (b) provided by the state  
7       department. The fees may not exceed the cost of services provided.  
8       (b) Fees may be charged for the following services:  
9       (1) Plan reviews conducted under rules adopted under  
10      IC 16-19-3-4(b)(13).  
11      (2) Licensing of agricultural labor camps under IC 16-41-26.  
12      (3) Services provided to persons other than governmental entities  
13      under rules adopted under IC 16-19-3-4(d).  
14      ~~(4) Services provided by the state health laboratory under~~  
15      ~~IC 16-19-8.~~  
16      ~~(5)~~ (4) Services provided under IC 24-6 by the state metrology  
17      laboratory.  
18      SECTION 4. IC 16-19-5-4, AS AMENDED BY P.L.143-2022,  
19      SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20      JULY 1, 2025]: Sec. 4. (a) The weights and measures fund is  
21      established for the purpose of providing funds for training and  
22      equipment for weights and measures inspectors and the state metrology  
23      laboratory. The state department shall administer the fund.  
24      (b) The fund consists of fees collected under section ~~1(b)(5)~~ 1(b)(4)  
25      of this chapter.  
26      (c) Money in the fund at the end of a state fiscal year does not revert

1 to the state general fund.

2 SECTION 5. IC 16-19-8-2, AS AMENDED BY P.L.143-2022,  
3 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2025]: Sec. 2. (a) The state health laboratory shall be located  
5 in Indianapolis and shall be used to:

- 6 (1) analyze foods and drugs for the purpose of enforcing the pure  
7 food and drug laws;
- 8 (2) perform sanitary analyses, pathological examinations, and  
9 studies in hygiene and preventive medicine; and
- 10 (3) support public health activities;

11 to aid in the enforcement of the health laws and for no other purpose.

12 (b) All work done in the state health laboratory must be done  
13 exclusively and entirely for the public benefit.

14 (c) The state department may establish fee schedules and charges  
15 for services provided by the state health laboratory. **The fee schedules  
16 must be based on the following:**

- 17 **(1) For clinical tests:**
  - 18 **(A) the Medicare reimbursement rate for the test; or**
  - 19 **(B) if there is not a Medicare reimbursement rate for the**  
20 **test, the Medicaid reimbursement rate for the test.**
- 21 **(2) For nonclinical tests, the cost of the test, including staff**  
22 **time, equipment, consumables, mailing, transport, and the**  
23 **depreciation of the equipment.**

24 **However, the state department may charge a reduced fee for a test**  
25 **provided for a local health department.**

26 SECTION 6. IC 16-19-8-4 IS ADDED TO THE INDIANA CODE  
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
28 1, 2025]: Sec. 4. (a) **The state health laboratory fund is established**  
29 **for the purpose of funding state health laboratory services,**  
30 **including the cost of:**

- 31 **(1) staff;**
- 32 **(2) equipment;**
- 33 **(3) consumables;**
- 34 **(4) mailing;**
- 35 **(5) transport; and**
- 36 **(6) equipment depreciation.**
- 37 **(b) The fund consists of fees collected under the following:**
  - 38 **(1) Section 2(c) of this chapter.**
  - 39 **(2) IC 16-19-9-3.**
- 40 **(c) The expenses of administering the fund shall be paid from**

1 money in the fund.

2 (d) Money in the fund at the end of a state fiscal year does not  
3 revert to the state general fund.

4 SECTION 7. IC 16-19-9-3 IS ADDED TO THE INDIANA CODE  
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
6 1, 2025]: Sec. 3. (a) The state health laboratory may charge fees for  
7 laboratory certifications performed under section 1 of this chapter.

8 (b) The fees for drinking water laboratory certification for  
9 laboratories in Indiana are as follows:

10 (1) Three hundred dollars (\$300) for microbiology only  
11 certification.

12 (2) Three hundred dollars (\$300) for limited chemistry  
13 (metals and inorganics) only certification.

14 (3) Five hundred dollars (\$500) for both microbiology and  
15 limited chemistry certification.

16 (4) Eight hundred dollars (\$800) for extended chemistry  
17 (metals, inorganics, and organics) only certification.

18 (5) One thousand dollars (\$1,000) for both microbiology and  
19 extended chemistry certification.

20 (c) The fees for drinking water laboratory certification for  
21 laboratories outside of Indiana are as follows:

22 (1) One thousand five hundred dollars (\$1,500) for  
23 microbiology reciprocal certification.

24 (2) One thousand five hundred dollars (\$1,500) for chemistry,  
25 including asbestos, reciprocal certification.

26 (d) The fees collected under this section shall be deposited in the  
27 state health laboratory fund established by IC 16-19-8-4."

28 Page 14, between lines 1 and 2, begin a new paragraph and insert:  
29 "SECTION 19. IC 16-41-24-5 IS REPEALED [EFFECTIVE JULY  
30 1, 2025]. Sec. 5: For each sample of water analyzed and tested each  
31 year, the state department shall collect a fee of not more than ten  
32 dollars (\$10) to be paid into the state general fund.

33 SECTION 20. IC 16-41-24-10 IS REPEALED [EFFECTIVE JULY  
34 1, 2025]. Sec. 10: (a) For testing a sample of water for a private person,  
35 firm, or corporation not offering drinking water, bottled water, or  
36 mineral water for sale for public consumption, the state department  
37 shall charge and collect a fee of not more than ten dollars (\$10). In  
38 addition, the state department may charge a mailing and shipping  
39 charge to defray the costs of mailing and shipping.

40 (b) A fee and the mailing and shipping charges collected under this

1 section shall be deposited in a revolving fund to the credit of the state  
2 department and used to defray the expenses:

3 (c) The state department may adopt rules under IC 4-22-2 to set a  
4 fee under this section. The fee must equal an amount necessary to cover  
5 the cost of the test."

6 Page 14, between lines 36 and 37, begin a new paragraph and insert:

7 "SECTION 23. IC 16-41-44-4, AS ADDED BY P.L.201-2023,  
8 SECTION 150, IS AMENDED TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2025]: Sec. 4. Subject to available funds, the  
10 state department shall use money in the fund to test the water supply of  
11 an individual property owner of an eligible township, until the allocated  
12 funds are depleted. The water testing is not subject to the fee described  
13 in IC 16-41-24-10."

14 Renumber all SECTIONS consecutively.

(Reference is to HB 1457 as printed February 11, 2025.)