

Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1260

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AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 16-18-2-308.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 308.5. "Recognized accrediting organization"**, for purposes of IC 16-21-2, refers to an organization that awards accreditation to hospitals and has been granted deemed status by the Centers for Medicare and Medicaid Services of meeting the Medicare and Medicaid certification requirements.

SECTION 2. IC 16-21-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. **(a) Before January 1, 2019**, the state health commissioner may:

- (1) issue a license upon the application without further evidence;
- or
- (2) request additional information concerning the application and conduct an investigation to determine whether a license should be granted.

**This subsection expires January 1, 2019.**

**(b) After December 31, 2018, the state health commissioner:**

- (1) may:**
  - (A) issue a license upon the application of a hospital that is not accredited by a recognized accrediting organization without further evidence; or**

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**(B) request additional information concerning the application of a hospital that is not accredited by a recognized accrediting organization and conduct an investigation to determine whether a license should be granted; and**

**(2) shall issue a license upon the application of a hospital that has received accreditation by a recognized accrediting organization for the period the recognized accrediting organization has been granted accreditation without the state department conducting an annual survey.**

**(c) The state department may investigate a complaint against an accredited hospital described in subsection (b)(2) for substantial noncompliance, as determined by the state department, with state law or rules. Nothing in this section prohibits the state health commissioner from taking action against a hospital under IC 16-21-3 for substantial noncompliance with state law or rules.**

**(d) If a hospital is not accredited by a recognized accrediting organization, the state department shall conduct an annual survey of the hospital.**

**(e) When requested by the federal Centers for Medicare and Medicaid Services, the state department shall conduct random validation surveys on behalf of the federal Centers for Medicare and Medicaid Services.**

**(f) A hospital shall provide a copy of the survey report and certificate of accreditation from a recognized accrediting organization to the state health commissioner not more than ten (10) days after receipt of the survey or accreditation.**

**(g) Subsections (b) through (f) do not affect the state department's performance of an initial survey of a hospital obtaining an initial license under this article.**

**SECTION 3. IC 16-21-2-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.5. (a) The state department shall work with recognized accrediting organizations to identify, develop, implement, and maintain common accrediting and licensure standards. Any licensure survey must be based on:**

**(1) the standards established by the recognized accrediting organization that accredits the hospital; and**

**(2) state law.**

**(b) The state department shall notify the recognized accrediting organization of any changes to state law for purposes of licensure.**

**SECTION 4. An emergency is declared for this act.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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