



April 2, 2021

ENGROSSED HOUSE BILL No. 1454

DIGEST OF HB 1454 (Updated March 31, 2021 1:50 pm - DI 104)

Citations Affected: IC 16-21; IC 25-22.5.

Synopsis: Nonemergency ambulance service orders. Requires hospitals to establish protocols for within the hospital concerning the issuance of orders for nonemergency transportation. Requires a physician to issue an order for nonemergency ambulance services when a patient needs transportation by an ambulance. Specifies contents of an order. Allows for certification of a physician's order by certain providers if certain conditions are met.

Effective: July 1, 2021.

Baird, Barrett, Vermilion, Fleming

(SENATE SPONSORS — CHARBONNEAU, ZAY)

January 14, 2021, read first time and referred to Committee on Public Health.
February 15, 2021, amended, reported — Do Pass.
February 17, 2021, read second time, ordered engrossed. Engrossed.
February 22, 2021, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

March 2, 2021, read first time and referred to Committee on Health and Provider Services.
April 1, 2021, amended, reported favorably — Do Pass.

EH 1454—LS 7246/DI 104



April 2, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1454

A BILL FOR AN ACT to amend the Indiana Code concerning health.

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

- 1 SECTION 1. IC 16-21-2-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. **(a)** The governing
3 board of the hospital is the supreme authority in the hospital and is
4 responsible for the following:
- 5 (1) The management, operation, and control of the hospital.
 - 6 (2) The appointment, reappointment, and assignment of privileges
7 to members of the medical staff, with the advice and
8 recommendations of the medical staff, consistent with the
9 individual training, experience, and other qualifications of the
10 medical staff.
 - 11 (3) Establishing requirements for appointments to and continued
12 service on the hospital's medical staff, consistent with the
13 appointee's individual training, experience, and other
14 qualifications, including the following requirements:
 - 15 (A) Proof that a medical staff member has qualified as a health
16 care provider under IC 16-18-2-163(a).
 - 17 (B) The performance of patient care and related duties in a

EH 1454—LS 7246/DI 104



- 1 manner that is not disruptive to the delivery of quality medical
 2 care in the hospital setting.
- 3 (C) Standards of quality medical care that recognize the
 4 efficient and effective utilization of hospital resources,
 5 developed by the medical staff.
- 6 (4) Upon recommendation of the medical staff, establishing
 7 protocols within the requirements of this chapter and 410
 8 IAC 15-1.2-1 for the admission, treatment, and care of patients
 9 with extended lengths of stay.
- 10 **(b) A hospital shall establish protocols for within the hospital for**
 11 **the issuance of an order:**
- 12 **(1) signed by the patient's physician; or**
 13 **(2) certified by a physician assistant, advanced practice**
 14 **registered nurse, registered nurse, discharge planner, licensed**
 15 **practical nurse, social worker, or case manager, if the**
 16 **individual:**
- 17 **(A) is employed by the physician, hospital, or facility from**
 18 **which the patient is transported; and**
 19 **(B) has personal knowledge of the patient's condition at the**
 20 **time the nonemergency ambulance transport is ordered or**
 21 **furnished.**
- 22 **(c) An order described in subsection (b) must include:**
- 23 **(1) the level of ambulance services needed for the patient; and**
 24 **(2) the patient's condition or diagnosis that necessitates**
 25 **nonemergency transportation by ambulance.**
- 26 SECTION 2. IC 25-22.5-13.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2021]:
- 29 **Chapter 13.5. Nonemergency Transportation Orders**
- 30 **Sec. 1. A physician licensed under this article shall issue an**
 31 **order for nonemergency ambulance services when a patient needs**
 32 **nonemergency transportation by an ambulance.**
- 33 **Sec. 2. The order required by section 1 of this chapter must**
 34 **include the following:**
- 35 **(1) The level of ambulance service needed for the patient.**
 36 **(2) The patient's condition or diagnosis that necessitates**
 37 **transportation by ambulance.**
- 38 **Sec. 3. A certification of a physician's order made under this**
 39 **chapter may be made by a physician assistant, advanced practice**
 40 **registered nurse, registered nurse, discharge planner, licensed**
 41 **practical nurse, social worker, or case manager if the individual:**
 42 **(1) is employed by the:**



- 1 (A) physician; or
- 2 (B) hospital or facility from which the patient is
- 3 transported; and
- 4 (2) has personal knowledge of the patient's condition at the
- 5 time the nonemergency ambulance transport is ordered or
- 6 furnished.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1454, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "ambulance services" and insert "**advanced life support or basic life support ambulance services, when all policies and procedures have been followed, including trip scheduling and medical necessity review and services,**".

Page 1, line 5, delete "delivered" and insert "**when rendered**".

Page 1, line 10, after "nonemergency" insert "**advanced life support or basic life support**".

Page 3, line 30, delete "medical transportation" and insert "**advanced life support or basic life support ambulance services, when all policies and procedures have been followed, including trip scheduling and medical necessity review and services, when rendered**".

Page 3, line 31, delete "delivered".

Page 3, line 34, delete "medical" and insert "**advanced life support or basic life support ambulance services**".

Page 3, line 35, delete "transportation".

Page 4, line 22, after "physician" insert "**or the physician's order to be certified by a physician assistant, nurse practitioner, clinical nurse specialist, registered nurse, discharge planner, licensed practical nurse, social worker, or case manager, if the individual is employed by the physician, hospital, or facility from which the patient is transported and has personal knowledge of the patient's condition at the time the nonemergency ambulance transport is ordered or furnished.**".

Page 4, delete line 23.

Page 4, line 24, delete "transportation".

Page 4, line 33, after "issue" delete "a" and insert "**an**".

Page 4, line 34, delete "written".

Page 4, between lines 40 and 41, begin a new paragraph and insert:

"Sec. 3. A certification of a physician's order made under this chapter may be made by a physician assistant, nurse practitioner, clinical nurse specialist, registered nurse, discharge planner, licensed practical nurse, social worker, or case manager if the individual:

(1) is employed by the:

(A) physician; or

(B) hospital or facility from which the patient is



transported; and
 (2) has personal knowledge of the patient's condition at the time the nonemergency ambulance transport is ordered or furnished."

Page 4, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "office" refers to the office of family and social services.

(b) An ambulance service provider that provides advanced life support (ALS) or basic life support (BLS) transports in Indiana shall provide the provider's actual cost data for providing advanced life support and basic life support transports, including its average actual cost for advanced life support and basic life support transports, for the 2020 calendar year to the office before July 1, 2021.

(c) The office shall review and provide written feedback and questions, if any, regarding the submitted actual cost data provided in subsection (b) to each ambulance service provider before September 1, 2021.

(d) An ambulance service provider shall provide the provider's:
 (1) written response to the feedback and questions received from the office; and
 (2) finalized actual cost data for providing advanced life support and basic life support transports for the 2020 calendar year;

to the office before November 1, 2021.

(e) The office shall collate into a report the finalized actual cost data collected under this SECTION by county in which the transport was initiated. The report must be formatted in a manner to assist the general assembly in preparing legislation to address the issues resulting in incidents of surprise bills in advanced life support and basic life support transport in Indiana.

(f) Before December 1, 2021, the office shall submit the report required under subsection (e) to the legislative council in an electronic format under IC 5-14-6.

(g) This SECTION expires December 31, 2021.

SECTION 6. An emergency is declared for this act."

Delete pages 5 through 6.

and when so amended that said bill do pass.



(Reference is to HB 1454 as introduced.)

BARRETT

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1454, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete lines 1 through 2.

Page 4, line 4, after "5." insert "(a)".

Page 4, delete lines 29 through 42, begin a new paragraph and insert:

"(b) A hospital shall establish protocols for within the hospital for the issuance of an order:

(1) signed by the patient's physician; or

(2) certified by a physician assistant, advanced practice registered nurse, registered nurse, discharge planner, licensed practical nurse, social worker, or case manager, if the individual:

(A) is employed by the physician, hospital, or facility from which the patient is transported; and

(B) has personal knowledge of the patient's condition at the time the nonemergency ambulance transport is ordered or furnished.

(c) An order described in subsection (b) must include:

(1) the level of ambulance services needed for the patient; and

(2) the patient's condition or diagnosis that necessitates nonemergency transportation by ambulance."

Page 5, line 14, delete "nurse practitioner," and insert "**advanced practice registered nurse,**".

Page 5, line 15, delete "clinical nurse specialist,".

Page 5, delete lines 25 through 42.

Delete page 6.

Renumber all SECTIONS consecutively.

EH 1454—LS 7246/DI 104



and when so amended that said bill do pass.

(Reference is to HB 1454 as printed February 15, 2021.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 10, Nays 0.

