

SENATE BILL No. 429

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-21-2-9.

Synopsis: Hospital delegation of health care services. Specifies that a hospital employee may perform a health care service that has been delegated to the hospital employee by a licensed health care provider if, in addition to other requirements, the delegation is made pursuant to a written policy or procedure approved by the hospital's governing board.

Effective: July 1, 2005.

Miller

January 13, 2005, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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SENATE BILL No. 429



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 16-21-2-9 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. **(a)** This chapter does
3 not authorize a person or a state, county, or local governmental unit,
4 division, department, board, or agency to engage in the practice of
5 medicine. However, ~~this chapter does not prohibit the performance of~~
6 ~~health care services~~ by a hospital employee **may perform health care**
7 **services** in a hospital when that performance is delegated or ordered by
8 a licensed health ~~practitioner~~ **care provider** if:
9 (1) the services performed are within the ~~practitioner's delegating~~
10 **health care provider's** scope of practice; **and**
11 (2) **the delegation or order is made according to a written**
12 **policy or procedure approved by the hospital's governing**
13 **board after consulting with:**
14 (A) **the hospital's medical staff; and**
15 (B) **at least two (2) licensed health care providers who**
16 **provide health care services at the hospital of the type that**
17 **is subject to the written policy or procedure.**



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(b) The policy or procedure under subsection (a) must do the following:

- (1) Facilitate providing quality health care services in a manner that is safe for patients.**
- (2) Set minimum training and education requirements that are appropriate for the health care service that is subject to the written policy or procedure.**
- (3) Specify the degree of:
 (A) supervision; and
 (B) communication;
required by the delegating licensed health care provider.**
- (4) Provide for the periodic review of the health care services delegated under this section.**
- (5) Allow an employee who is licensed to provide health care to exercise independent clinical judgment to the extent allowed by the employee's health care license.**

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