

HOUSE BILL No. 1306

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-22.5-11.

Synopsis: Physician referrals. Requires a physician to provide certain information to an individual before referring the individual to a health care entity in which the physician has a financial interest. Provides an exception for emergency circumstances.

Effective: July 1, 2005.

Becker, Brown C, Budak

January 11, 2005, read first time and referred to Committee on Public Health.

C
O
p
y



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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

C
o
p
y

HOUSE BILL No. 1306

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-22.5-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2005]:

4 **Chapter 11. Physician Referral to Certain Health Care Entities**
5 **Sec. 1. As used in this chapter, "financial interest" means an**
6 **ownership or investment interest through equity, debt, or other**
7 **means.**

8 **Sec. 2. As used in this chapter, "health care entity" means an**
9 **organization or a business, other than a referring physician's office**
10 **or practice, that provides diagnostic, medical, or surgical services,**
11 **dental treatment, or rehabilitative care.**

12 **Sec. 3. (a) Except as provided in subsection (b), a physician must**
13 **do the following before referring an individual to a health care**
14 **entity in which the physician has a direct or an indirect financial**
15 **interest:**

16 **(1) Disclose to the individual the physician's financial interest**
17 **in the health care entity.**



1 **(2) Inform the individual that the individual may choose to be**
2 **referred to another health care entity.**
3 **(b) Subsection (a) does not apply if a delay in treatment caused**
4 **by compliance with the requirements of subsection (a) would**
5 **reasonably be expected by the referring physician to result in**
6 **serious:**
7 **(1) jeopardy to the individual's health;**
8 **(2) impairment to the individual's bodily functions; or**
9 **(3) dysfunction of a bodily organ or part of the individual.**
10 **Sec. 4. Compliance with this chapter is a condition of licensure**
11 **under this article.**
12 **Sec. 5. This chapter is not intended to conflict with 42 U.S.C.**
13 **1395nn or 42 U.S.C. 1396b(s).**

C
O
P
Y

