



Reprinted
February 28, 2006

**ENGROSSED
HOUSE BILL No. 1315**

DIGEST OF HB 1315 (Updated February 27, 2006 5:19 pm - DI 96)

Citations Affected: IC 16-28; noncode.

Synopsis: Sprinkler systems in nursing homes. Requires certain health facilities to have automatic fire sprinkler systems before July 1, 2011. Provides that if a system is not installed before July 1, 2009, a plan for completion must be submitted to the health facilities council. Requires the department of health to publish the types of automatic fire sprinkler systems and smoke detectors in a nursing home in the department's consumer guide to nursing homes. (The introduced version of this bill was prepared by the interim study committee on fire safety issues.)

Effective: Upon passage; July 1, 2006; July 1, 2007.

Thompson, Hoy
(SENATE SPONSORS — LANDSKE, SIPES)

January 10, 2006, read first time and referred to Committee on Public Health.
January 24, 2006, amended, reported — Do Pass.
January 30, 2006, read second time, ordered engrossed. Engrossed.
February 2, 2006, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 6, 2006, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.
February 23, 2006, amended, reported favorably — Do Pass.
February 27, 2006, read second time, amended, ordered engrossed.

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Second Regular Session 114th General Assembly (2006)

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 2005 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1315

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 16-28-11-5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2006]: **Sec. 5. (a) This section does not apply to the Indiana
4 Veterans' Home.**

5 **(b) A health facility licensed under IC 16-28 as a comprehensive
6 care facility must do the following:**

7 **(1) Have an automatic fire sprinkler system throughout the
8 facility before July 1, 2011.**

9 **(2) If an automatic fire sprinkler system is not installed
10 throughout the health facility before July 1, 2009, submit
11 before July 1, 2009, a plan to the state department for
12 completion of the automatic fire sprinkler system before July
13 1, 2011.**

14 **(c) The state department shall adopt rules under IC 4-22-2 to
15 implement this section.**

16 SECTION 2. IC 16-28-11-6 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

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1 1, 2006]: **Sec. 6. The state department shall disclose, in the**
2 **department's consumer guide to nursing homes, whether a health**
3 **facility is:**

- 4 (1) fully;
- 5 (2) partially; or
- 6 (3) not;

7 **equipped with sprinklers.**

8 SECTION 3. IC 16-28-11-7 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2007]: **Sec. 7. The state department shall disclose the following**
11 **information in the department's consumer guide to nursing homes:**

12 (1) **Whether a health facility has:**

- 13 (A) battery operated;
- 14 (B) hard wired; or
- 15 (C) no;

16 **smoke detectors in each resident's room.**

17 (2) **If a health facility has hard wired or wireless smoke**
18 **detectors in each resident's room, whether the smoke**
19 **detectors:**

- 20 (A) provide a visual and audible signal at the nurses'
- 21 stations that attend each room;
- 22 (B) transmit to a central station service; and
- 23 (C) connect to the facility's fire alarm system.

24 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
25 **SECTION, "commissioner" has the meaning set forth in**
26 **IC 16-18-2-340.**

27 (b) **Notwithstanding IC 16-28-11-5, as added by this act, the**
28 **state department of health shall carry out the duties imposed upon**
29 **the state department of health under IC 16-28-11-5, as added by**
30 **this act, under interim written guidelines approved by the**
31 **commissioner.**

32 (c) **This SECTION expires on the earlier of the following:**

- 33 (1) **The date rules are adopted under IC 16-28-11-5, as added**
- 34 **by this act.**
- 35 (2) **January 1, 2008.**

36 SECTION 5. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1315, 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 6, delete "2016." and insert "2011."

Page 1, line 8, delete "care".

Page 1, line 8, delete "2013," and insert "2009,".

Page 1, line 9, delete "2013," and insert "2009,".

Page 1, line 11, delete "2016." and insert "2011."

Page 2, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2006] (a) **As used in this SECTION, "department" refers to the state department of health.**

(b) The department shall implement disclosure guidelines for health facilities that are licensed under IC 16-28 concerning automatic fire sprinkler systems and smoke detectors, including the following:

(1) The status of automatic fire sprinkler systems and smoke detectors.

(2) The type of smoke detectors that are used.

(3) The plan of the health facility to install or update automatic fire sprinkler systems and smoke detectors.

The disclosure guidelines may include Internet web site postings, posting of information at health facilities, and providing information to new clients of a health facility. However, the disclosure guidelines must provide that any information that is posted or distributed must be updated.

(c) This SECTION expires July 1, 2011."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1315 as introduced.)

BROWN T, Chair

Committee Vote: yeas 9, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred House Bill No. 1315,

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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, line 3, after "(a)" insert "**This section does not apply to the Indiana Veterans' Home.**

(b)".

Page 1, line 3, after "IC 16-28" insert "**as a comprehensive care facility**".

Page 1, line 12, delete "(b)" and insert "(c)".

Page 1, between lines 13 and 14, begin a new paragraph and insert: "SECTION 2. IC 16-28-11-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 6. The state department shall disclose, in the department's consumer guide to nursing homes, whether a health facility is:**

- (1) fully;
- (2) partially; or
- (3) not;

equipped with sprinklers.

SECTION 3. IC 16-28-11-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 7. The state department shall disclose the following information in the department's consumer guide to nursing homes:**

(1) Whether a health facility has:

- (A) battery operated;
- (B) hard wired; or
- (C) no;

smoke detectors in each resident's room.

(2) If a health facility has hard wired or wireless smoke detectors in each resident's room, whether the smoke detectors:

- (A) provide an unusual and audible signal at the nurses' stations that attend each room; and
- (B) transmit to a central station service or connect to the facility's fire alarm system."

Page 2, delete lines 9 through 25.

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Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to HB 1315 as printed January 25, 2006.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1315 be amended to read as follows:

Page 2, line 20, delete "an unusual" and insert "**a visual**".

Page 2, line 21, delete "and".

Page 2, line 22, delete "or connect to the" and insert "**; and**".

Page 2, between lines 22 and 23, begin a new line double block indented and insert:

"(C) connect to the facility's fire alarm system."

Page 2, delete line 23.

(Reference is to EHB 1315 as printed February 24, 2006.)

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