



January 25, 2006

HOUSE BILL No. 1315

DIGEST OF HB 1315 (Updated January 24, 2006 3:25 pm - DI 77)

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 implement disclosure guidelines for health facilities concerning automatic fire sprinkler systems and smoke detectors. (The introduced version of this bill was prepared by the interim study committee on fire safety issues.)

Effective: Upon passage; July 1, 2006.

Thompson, Hoy

January 10, 2006, read first time and referred to Committee on Public Health.
January 24, 2006, amended, reported — Do Pass.

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January 25, 2006

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.

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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) A health facility licensed under IC 16-28 must
4 do the following:**

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

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

12 (b) **The state department shall adopt rules under IC 4-22-2 to
13 implement this section.**

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

17 (b) **Notwithstanding IC 16-28-11-5, as added by this act, the**

HB 1315—LS 6112/DI 96+



1 state department of health shall carry out the duties imposed upon
2 the state department of health under IC 16-28-11-5, as added by
3 this act, under interim written guidelines approved by the
4 commissioner.

- 5 (c) This SECTION expires on the earlier of the following:
- 6 (1) The date rules are adopted under IC 16-28-11-5, as added
- 7 by this act.
- 8 (2) January 1, 2008.

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

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

- 15 (1) The status of automatic fire sprinkler systems and smoke
- 16 detectors.
- 17 (2) The type of smoke detectors that are used.
- 18 (3) The plan of the health facility to install or update
- 19 automatic fire sprinkler systems and smoke detectors.

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

- 25 (c) This SECTION expires July 1, 2011.
- 26 SECTION 4. 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.

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