



March 13, 2007

**ENGROSSED
SENATE BILL No. 489**

DIGEST OF SB 489 (Updated March 7, 2007 6:48 pm - DI 77)

Citations Affected: IC 16-18; IC 16-45.

Synopsis: Funding for rural health care program. Establishes the rural health care pilot program support fund to provide grants to Indiana health care providers who participate in the federal rural health care pilot program.

Effective: July 1, 2007.

Ford, Miller

(HOUSE SPONSORS — WELCH, KOCH)

January 18, 2007, read first time and referred to Committee on Economic Development and Technology.

February 6, 2007, amended, reported favorably — Do Pass.

February 12, 2007, read second time, ordered engrossed.

February 13, 2007, engrossed.

February 13, 2007, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

February 27, 2007, read first time and referred to Committee on Public Health.

March 12, 2007, amended, reported — Do Pass.

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March 13, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 489



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 16-45-4 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2007]:
- 4 **Chapter 4. Rural Health Care Pilot Program Support Fund**
- 5 **Sec. 1. As used in this chapter, "office" means the office of**
- 6 **technology established by IC 4-13.1-2-1.**
- 7 **Sec. 2. As used in this chapter, "pilot program" refers to the**
- 8 **rural health care pilot program established by the Federal**
- 9 **Communications Commission under 47 U.S.C. 254(h)(A)(2) to**
- 10 **provide federal funding to support the construction of state or**
- 11 **regional broadband networks and the services provided over those**
- 12 **networks.**
- 13 **Sec. 3. (a) The rural health care pilot program support fund is**
- 14 **established for the purpose of making grants to Indiana health care**
- 15 **providers who participate in the pilot program. The fund shall be**
- 16 **administered by the office.**
- 17 **(b) The expenses of administering the fund shall be paid from**

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the money in the fund.

(c) The fund consists of:

- (1) money appropriated or otherwise designated or dedicated by the general assembly; and**
- (2) gifts, grants, and bequests.**

(d) Notwithstanding IC 5-13, the treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund under IC 5-10.3-5. The treasurer of state may contract with investment management professionals, investment advisers, and legal counsel to assist in the management of the fund and may pay the state expenses incurred under those contracts.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 4. (a) The office must use money in the fund to make grants to health care providers who participate in the pilot program. A health care provider that receives a grant under this chapter must use the grant money to make the local match required as a condition of the provider's participation in the pilot program.

(b) The office may:

- (1) prescribe grant application forms;**
- (2) establish grant application procedures; and**
- (3) take any other action necessary to implement this chapter.**

SECTION 2. IC 16-18-2-163 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 163. (a) "Health care provider", for purposes of IC 16-21 and IC 16-41, means any of the following:

- (1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), a dentist, a registered or licensed practical nurse, a midwife, an optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a paramedic, an emergency medical technician, an emergency medical technician-basic advanced, an emergency medical technician-intermediate, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.**
- (2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the**

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1 governing board or a person who is an officer, employee, or agent
 2 of the college, university, or junior college acting in the course
 3 and scope of the person's employment.
 4 (3) A blood bank, community mental health center, community
 5 mental retardation center, community health center, or migrant
 6 health center.
 7 (4) A home health agency (as defined in IC 16-27-1-2).
 8 (5) A health maintenance organization (as defined in
 9 IC 27-13-1-19).
 10 (6) A health care organization whose members, shareholders, or
 11 partners are health care providers under subdivision (1).
 12 (7) A corporation, partnership, or professional corporation not
 13 otherwise qualified under this subsection that:
 14 (A) provides health care as one (1) of the corporation's,
 15 partnership's, or professional corporation's functions;
 16 (B) is organized or registered under state law; and
 17 (C) is determined to be eligible for coverage as a health care
 18 provider under IC 34-18 for the corporation's, partnership's, or
 19 professional corporation's health care function.
 20 Coverage for a health care provider qualified under this subdivision is
 21 limited to the health care provider's health care functions and does not
 22 extend to other causes of action.
 23 (b) "Health care provider", for purposes of IC 16-35, has the
 24 meaning set forth in subsection (a). However, for purposes of IC 16-35,
 25 the term also includes a health facility (as defined in section 167 of this
 26 chapter).
 27 (c) "Health care provider", for purposes of IC 16-36-5, means an
 28 individual licensed or authorized by this state to provide health care or
 29 professional services as:
 30 (1) a licensed physician;
 31 (2) a registered nurse;
 32 (3) a licensed practical nurse;
 33 (4) an advanced practice nurse;
 34 (5) a licensed nurse midwife;
 35 (6) a paramedic;
 36 (7) an emergency medical technician;
 37 (8) an emergency medical technician-basic advanced;
 38 (9) an emergency medical technician-intermediate; or
 39 (10) a first responder, as defined under IC 16-18-2-131.
 40 The term includes an individual who is an employee or agent of a
 41 health care provider acting in the course and scope of the individual's
 42 employment.

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- 1 (d) "Health care provider", for purposes of IC 16-40-4, means any
- 2 of the following:
- 3 (1) An individual, a partnership, a corporation, a professional
- 4 corporation, a facility, or an institution licensed or authorized by
- 5 the state to provide health care or professional services as a
- 6 licensed physician, a psychiatric hospital, a hospital, a health
- 7 facility, an emergency ambulance service (IC 16-31-3), an
- 8 ambulatory outpatient surgical center, a dentist, an optometrist, a
- 9 pharmacist, a podiatrist, a chiropractor, a psychologist, or a
- 10 person who is an officer, employee, or agent of the individual,
- 11 partnership, corporation, professional corporation, facility, or
- 12 institution acting in the course and scope of the person's
- 13 employment.
- 14 (2) A blood bank, laboratory, community mental health center,
- 15 community mental retardation center, community health center,
- 16 or migrant health center.
- 17 (3) A home health agency (as defined in IC 16-27-1-2).
- 18 (4) A health maintenance organization (as defined in
- 19 IC 27-13-1-19).
- 20 (5) A health care organization whose members, shareholders, or
- 21 partners are health care providers under subdivision (1).
- 22 (6) A corporation, partnership, or professional corporation not
- 23 otherwise specified in this subsection that:
- 24 (A) provides health care as one (1) of the corporation's,
- 25 partnership's, or professional corporation's functions;
- 26 (B) is organized or registered under state law; and
- 27 (C) is determined to be eligible for coverage as a health care
- 28 provider under IC 34-18 for the corporation's, partnership's, or
- 29 professional corporation's health care function.
- 30 (7) A person that is designated to maintain the records of a person
- 31 described in subdivisions (1) through (6).
- 32 (e) "Health care provider", for purposes of IC 16-45-4, has the
- 33 meaning set forth in 47 CFR 54.601(a).

COPY



COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Senate Bill No. 489, 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:

Delete the title and insert the following:

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

Page 2, delete lines 23 through 25.

and when so amended that said bill do pass.

(Reference is to SB 489 as introduced.)

FORD, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 489, 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 4, line 33, delete "47 U.S.C. 254(h)(5)(B)." and insert "**47 CFR 54.601(a)**."

and when so amended that said bill do pass.

(Reference is to SB 489 as printed February 7, 2007.)

BROWN C, Chair

Committee Vote: yeas 10, nays 0.

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