

# SENATE BILL No. 489

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-45-4; IC 16-18-2-163.

**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. Makes an appropriation.

**Effective:** July 1, 2007.

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

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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.

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**SENATE BILL No. 489**



A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

*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.

Sec. 5. The amount necessary to make grants to all health care providers that participate in the pilot program is continuously appropriated to the office for deposit in the fund.

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

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

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1 The term includes an individual who is an employee or agent of a  
2 health care provider acting in the course and scope of the individual's  
3 employment.

4 (d) "Health care provider", for purposes of IC 16-40-4, means any  
5 of the following:

6 (1) An individual, a partnership, a corporation, a professional  
7 corporation, a facility, or an institution licensed or authorized by  
8 the state to provide health care or professional services as a  
9 licensed physician, a psychiatric hospital, a hospital, a health  
10 facility, an emergency ambulance service (IC 16-31-3), an  
11 ambulatory outpatient surgical center, a dentist, an optometrist, a  
12 pharmacist, a podiatrist, a chiropractor, a psychologist, or a  
13 person who is an officer, employee, or agent of the individual,  
14 partnership, corporation, professional corporation, facility, or  
15 institution acting in the course and scope of the person's  
16 employment.

17 (2) A blood bank, laboratory, community mental health center,  
18 community mental retardation center, community health center,  
19 or migrant health center.

20 (3) A home health agency (as defined in IC 16-27-1-2).

21 (4) A health maintenance organization (as defined in  
22 IC 27-13-1-19).

23 (5) A health care organization whose members, shareholders, or  
24 partners are health care providers under subdivision (1).

25 (6) A corporation, partnership, or professional corporation not  
26 otherwise specified in this subsection that:

27 (A) provides health care as one (1) of the corporation's,  
28 partnership's, or professional corporation's functions;

29 (B) is organized or registered under state law; and

30 (C) is determined to be eligible for coverage as a health care  
31 provider under IC 34-18 for the corporation's, partnership's, or  
32 professional corporation's health care function.

33 (7) A person that is designated to maintain the records of a person  
34 described in subdivisions (1) through (6).

35 (e) "Health care provider", for purposes of IC 16-45-4, has the  
36 meaning set forth in 47 U.S.C. 254(h)(5)(B).

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