

IC 12-24-14

Chapter 14. Collection of Charges for Treatment and Maintenance of Patients

IC 12-24-14-1

"Fund" defined

Sec. 1. As used in this chapter, "fund" refers to the mental health fund established by this chapter.

As added by P.L.2-1992, SEC.18.

IC 12-24-14-2

Billing and collection of maintenance charges

Sec. 2. The billing and collection of maintenance charges under this article shall be made by the division or a unit of the division designated by the director.

As added by P.L.2-1992, SEC.18. Amended by P.L.187-2007, SEC.14.

IC 12-24-14-3

Deposit of money collected

Sec. 3. Money collected shall be deposited each day by the division in a designated public depository.

As added by P.L.2-1992, SEC.18.

IC 12-24-14-4

Deposit in state mental health fund of money deposited under IC 12-24-14-3

Sec. 4. On the first day of each month, or within three (3) days thereafter, all money deposited under section 3 of this chapter shall be forwarded by the division to the treasurer of state to be deposited in a special fund to be known as the mental health fund.

As added by P.L.2-1992, SEC.18.

IC 12-24-14-5

Powers of division

Sec. 5. The division may do the following:

- (1) Investigate, either with division staff or on a contractual or other basis, the financial condition of each person liable under this chapter.
- (2) Make determinations of the ability of the patient and the responsible parties to pay maintenance charges.
- (3) Set a standard as a basis of judgment of ability to pay. The standard shall be recomputed periodically to reflect changes in the cost of living and other pertinent factors and to make provisions for unusual and exceptional circumstances in the application of the standard.

As added by P.L.2-1992, SEC.18.

IC 12-24-14-6

Compromise agreements; conditions; other sources of

reimbursement

Sec. 6. (a) The division may, upon receipt of a properly executed application, agree to accept payment at a lesser rate than that prescribed under this article.

(b) The division shall, in determining whether to accept the lesser amount under this section, take into consideration the possibility of reimbursement from the estate of the patient and the estates of responsible parties.

(c) All agreements to accept a lesser amount under this section are subject to cancellation or modification if any of the following conditions exist:

(1) Material misrepresentation or omission of facts.

(2) Substantial and continuing change in the financial circumstances of the responsible party with whom the agreement is made within five (5) years after discharge.

(d) A person who has been issued a bill for maintenance charges based upon a lesser rate than that prescribed by this article may request the division to review the agreement. If an acceptable rate cannot otherwise be established, the division shall provide for hearings to be held upon request.

(e) The division may modify an agreement made under this section after the hearing held under subsection (d).

(f) This section does not prohibit the division from receiving reimbursement under 42 U.S.C. 1395 et seq. or 42 U.S.C. 1396 et seq.

As added by P.L.2-1992, SEC.18.

IC 12-24-14-7**Acceptance of more money than owed**

Sec. 7. The division may accept more money than is owed if a person desires to pay more.

As added by P.L.2-1992, SEC.18.