IC 12-24-17
Chapter 17. Offenses

IC 12-24-17-1
"Administrator" defined
Sec. 1. (a) As used in this chapter, "administrator" means a person who is the administrative head of a hospital, a sanitarium, an institution, an agency, or an instrumentality:

(1) maintained or provided by the United States or an agency or instrumentality of the United States; and

(2) where mental illnesses or developmental disabilities are treated.

(b) The term, for purposes of this chapter and a court order, includes successors in office.

As added by P.L.2-1992, SEC.18. Amended by P.L.6-1995, SEC.19.

IC 12-24-17-2
"Patient" defined
Sec. 2. As used in this chapter, "patient" means an individual who:

(1) has a mental illness or appears to have a mental illness;

(2) is in or under the supervision and control of a state institution; or

(3) because of mental illness, is under the supervision and control of a circuit or superior court of Indiana.

As added by P.L.2-1992, SEC.18. Amended by P.L.99-2007, SEC.119.

IC 12-24-17-3
Neglect, abuse, or maltreatment of a patient in a state institution; penalty
Sec. 3. A person who:

(1) neglects, when the person has a duty of care;

(2) abuses; or

(3) maltreats;

an individual with a mental illness or an individual with a developmental disability under the care of a state institution commits a Class B misdemeanor.

As added by P.L.2-1992, SEC.18. Amended by P.L.6-1995, SEC.20; P.L.99-2007, SEC.120.

IC 12-24-17-4
Knowledge of alleged violation of IC 12-24-17-3; failure to make written report to superintendent
Sec. 4. A person who:

(1) knows of an alleged violation of section 3 of this chapter; and

(2) fails to make a written report to the superintendent within twenty-four (24) hours of the alleged violation;

commits a Class A infraction.

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

IC 12-24-17-5
Receipt by superintendent of report of alleged violation; investigation; reporting requirements
Sec. 5. (a) A superintendent who receives a written report of an alleged violation of section 3 of this chapter shall begin an investigation within twenty-four (24) hours after receipt of the written report.

(b) In accordance with IC 31-33, the superintendent shall report the alleged violation of section 3 of this chapter to either of the following:
(1) The department of child services if the alleged victim is less than eighteen (18) years of age.
(2) The adult protective services unit designated under IC 12-10-3 if the alleged victim is at least eighteen (18) years of age.

As added by P.L.2-1992, SEC.18. Amended by P.L.4-1993, SEC.202; P.L.5-1993, SEC.215; P.L.1-1997, SEC.85; P.L.234-2005, SEC.78.

IC 12-24-17-6
Unauthorized dealing or contracting by state institution employee with or for a patient concerning money or property
Sec. 6. An employee of a state institution who does any of the following commits a Class B misdemeanor:
(1) Knowingly deals with, contracts with, purchases from, or purchases for a patient in the state institution any property without the permission of the superintendent.
(2) Lends to or borrows from a patient money or other property.

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

IC 12-24-17-7
Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent
Sec. 7. A person who:
(1) recklessly entices or takes a patient away; or
(2) aids, induces, or causes a patient to escape;
from an administrator or a superintendent who has been granted custody of the patient commits a Class B misdemeanor.

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

IC 12-24-17-8
Releasing information concerning a patient's medical records or treatment without written consent of patient, parent, or guardian
Sec. 8. A person who knowingly or intentionally releases information concerning a patient's medical records or treatment under IC 12-24-11 or IC 16-39-2 without the knowing, written consent of the patient or the patient's parent or guardian commits a Class B infraction.

As added by P.L.2-1992, SEC.18. Amended by P.L.40-1994, SEC.53.