

## **IC 16-18-2**

### **Chapter 2. Definitions**

#### **IC 16-18-2-0.5**

##### **Abatement**

Sec. 0.5. (a) "Abatement", for purposes of IC 16-41-39.8, means any measure or set of measures designed to permanently eliminate lead-based paint hazards. The term includes the following:

- (1) The removal of lead-based paint and lead-contaminated dust.
- (2) The permanent enclosure or encapsulation of lead-based paint.
- (3) The replacement of lead-painted surfaces or fixtures.
- (4) The removal or covering of lead-contaminated soil.
- (5) All preparation, cleanup, disposal, and postabatement clearance testing activities associated with subdivisions (1) through (4).
- (6) A project for which there is a written contract or other documentation, providing that a person will be conducting activities in or to a residential dwelling or child occupied facility that:
  - (A) will permanently eliminate lead-based paint hazards; or
  - (B) are designed to permanently eliminate lead-based paint hazards as described under subdivisions (1) through (5).
- (7) A project resulting in the permanent elimination of lead-based paint hazards, conducted by persons certified under 40 CFR 745.226 or persons holding valid licenses issued under IC 13-17-14 (before its repeal) or IC 16-41-39.8, unless the project is described under subsection (b) or (c).
- (8) A project resulting in the permanent elimination of lead-based paint hazards, conducted by persons who, through the person's company name or promotional literature, represent, advertise, or hold themselves out to be in the business of performing lead-based paint activities, unless those projects are described under subsection (b) or (c).
- (9) A project resulting in the permanent elimination of lead-based paint hazards that is conducted in response to state or local abatement orders.

(b) The term does not include renovation, remodeling, landscaping, or other activities when those activities are not designed to permanently eliminate lead-based paint hazards but are designed to repair, restore, or remodel a structure or dwelling, even though these activities may incidentally result in a reduction or elimination of lead-based paint hazards.

(c) The term does not include interim controls, operations, or maintenance activities or other measures designed to temporarily reduce lead-based paint hazards.

*As added by P.L.57-2009, SEC.3. Amended by P.L.1-2010, SEC.67; P.L.42-2011, SEC.33.*

## **IC 16-18-2-1**

### **Abortion**

Sec. 1. "Abortion" means the termination of human pregnancy with an intention other than to produce a live birth or to remove a dead fetus. The term includes abortions by surgical procedures and by abortion inducing drugs.

*As added by P.L.2-1993, SEC.1. Amended by P.L.136-2013, SEC.1.*

## **IC 16-18-2-1.5**

### **Abortion clinic**

Sec. 1.5. (a) "Abortion clinic", for purposes of IC 16-21-2, means a freestanding entity that:

- (1) performs surgical abortion procedures; or
- (2) beginning January 1, 2014, provides an abortion inducing drug for the purpose of inducing an abortion.

(b) The term does not include the following:

- (1) A hospital that is licensed as a hospital under IC 16-21-2.
- (2) An ambulatory outpatient surgical center that is licensed as an ambulatory outpatient surgical center under IC 16-21-2.
- (3) A physician's office as long as:
  - (A) the surgical procedures performed at the physician's office are not primarily surgical abortion procedures; and
  - (B) abortion inducing drugs are not the primarily dispensed or prescribed drug at the physician's office.

*As added by P.L.96-2005, SEC.2. Amended by P.L.136-2013, SEC.2.*

## **IC 16-18-2-1.6**

### **Abortion inducing drug**

Sec. 1.6. "Abortion inducing drug" means a medicine, drug, or substance prescribed or dispensed with the intent of terminating a clinically diagnosable pregnancy with the knowledge that the termination will, with reasonable likelihood, cause the death of the fetus. The term includes the off-label use of a drug known to have abortion inducing properties if the drug is prescribed with the intent of causing an abortion.

*As added by P.L.136-2013, SEC.3.*

## **IC 16-18-2-1.8**

### **Additional forensic services**

Sec. 1.8. "Additional forensic services", for purposes of IC 16-21-8, means the following:

- (1) Initial pregnancy and sexually transmitted disease testing related to an alleged sex crime.
- (2) Prophylactic medication related to pregnancy, pregnancy testing, or sexually transmitted disease testing. However, this subdivision does not include HIV prophylactic medication that may be paid at the discretion of the victim services division of the Indiana criminal justice institute.
- (3) Alcohol and drug testing.
- (4) Syphilis testing up to ninety (90) days after an alleged sex

crime.

(5) Pregnancy testing up to thirty (30) days after an alleged sex crime.

(6) Mental health counseling concerning problems directly related to an alleged sex crime.

*As added by P.L.121-2006, SEC.20.*

#### **IC 16-18-2-2**

##### **Adjustment and incentive support**

Sec. 2. "Adjustment and incentive support", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-3**

##### **Administrative adjudication, decision, or order**

Sec. 3. "Administrative adjudication, decision, or order", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-4**

##### **Administrative unit**

Sec. 4. "Administrative unit", for purposes of IC 16-19-6, has the meaning set forth in IC 16-19-6-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-5**

##### **Adult**

Sec. 5. "Adult" means an individual who is at least eighteen (18) years of age.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-5.5**

##### **Adult stem cell**

Sec. 5.5. "Adult stem cell" means an undifferentiated cell that:

(1) is found in a differentiated tissue;

(2) is renewable; and

(3) yields specialized cell types with certain limitations of the tissue from which it originated.

*As added by P.L.126-2005, SEC.1.*

#### **IC 16-18-2-6**

##### **Repealed**

*(Repealed by P.L.205-2003, SEC.44.)*

#### **IC 16-18-2-6.5**

##### **Advanced emergency medical technician**

Sec. 6.5. "Advanced emergency medical technician", for purposes of IC 16-31, means an individual who can perform at least one (1) procedure but not all the procedures of a paramedic and who:

(1) has completed a prescribed course in advanced life support;

- (2) has been certified by the Indiana emergency medical services commission;
- (3) is associated with a single supervising hospital; and
- (4) is affiliated with a provider organization.

*As added by P.L.77-2012, SEC.4.*

#### **IC 16-18-2-7**

##### **"Advanced life support"**

Sec. 7. (a) "Advanced life support", for purposes of IC 16-31, means care that is given:

- (1) at the scene of:
  - (A) an accident;
  - (B) an act of terrorism (as defined in IC 35-31.5-2-329), if the governor has declared a disaster emergency under IC 10-14-3-12 in response to the act of terrorism; or
  - (C) an illness;
- (2) during transport; or
- (3) at a hospital;

by a paramedic or an advanced emergency medical technician and that is more advanced than the care usually provided by an emergency medical technician.

(b) The term may include any of the following:

- (1) Defibrillation.
- (2) Endotracheal intubation.
- (3) Parenteral injections of appropriate medications.
- (4) Electrocardiogram interpretation.
- (5) Emergency management of trauma and illness.

*As added by P.L.2-1993, SEC.1. Amended by P.L.156-2001, SEC.1; P.L.17-2002, SEC.1; P.L.2-2003, SEC.43; P.L.205-2003, SEC.8; P.L.77-2012, SEC.5; P.L.114-2012, SEC.39; P.L.13-2013, SEC.52.*

#### **IC 16-18-2-8**

##### **Advertisement**

Sec. 8. "Advertisement", for purposes of IC 16-42-1 through IC 16-42-4, means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of food, drugs, devices, or cosmetics.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-9**

##### **Repealed**

*(Repealed by P.L.113-2010, SEC.170.)*

#### **IC 16-18-2-9.3**

##### **Advisory council**

Sec. 9.3. "Advisory council", for purposes of IC 16-41-39.4, refers to the lead-safe housing advisory council established by IC 16-41-39.4-6.

*As added by P.L.102-2008, SEC.1.*

**IC 16-18-2-10****Agency**

Sec. 10. "Agency", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-2.

*As added by P.L.2-1993, SEC.1. Amended by P.L.205-2003, SEC.9; P.L.101-2006, SEC.23; P.L.2-2007, SEC.178; P.L.101-2007, SEC.1; P.L.42-2011, SEC.34; P.L.141-2012, SEC.5.*

**IC 16-18-2-11****Agricultural labor camp**

Sec. 11. "Agricultural labor camp", for purposes of IC 16-41-26, has the meaning set forth in IC 16-41-26-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-12****Alcohol and drug abuse records**

Sec. 12. "Alcohol and drug abuse records", for purposes of IC 16-39, means recorded or unrecorded information concerning the diagnosis, treatment, or prognosis of a patient receiving alcohol or drug abuse treatment services.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-13****Ambulance**

Sec. 13. "Ambulance", for purposes of IC 16-31, means a conveyance on:

- (1) land;
- (2) sea; or
- (3) air;

that is used or is intended to be used for the purpose of responding to emergency life-threatening situations and providing emergency transportation service.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-14****Ambulatory outpatient surgical center**

Sec. 14. (a) "Ambulatory outpatient surgical center", for purposes of IC 16-21 and IC 16-38-2, means a public or private institution that meets the following conditions:

- (1) Is established, equipped, and operated primarily for the purpose of performing surgical procedures and services.
- (2) Is operated under the supervision of at least one (1) licensed physician or under the supervision of the governing board of the hospital if the center is affiliated with a hospital.
- (3) Permits a surgical procedure to be performed only by a physician, dentist, or podiatrist who meets the following conditions:
  - (A) Is qualified by education and training to perform the surgical procedure.
  - (B) Is legally authorized to perform the procedure.

- (C) Is privileged to perform surgical procedures in at least one (1) hospital within the county or an Indiana county adjacent to the county in which the ambulatory outpatient surgical center is located.
- (D) Is admitted to the open staff of the ambulatory outpatient surgical center.
- (4) Requires that a licensed physician with specialized training or experience in the administration of an anesthetic supervise the administration of the anesthetic to a patient and remain present in the facility during the surgical procedure, except when only a local infiltration anesthetic is administered.
- (5) Provides at least one (1) operating room and, if anesthetics other than local infiltration anesthetics are administered, at least one (1) postanesthesia recovery room.
- (6) Is equipped to perform diagnostic x-ray and laboratory examinations required in connection with any surgery performed.
- (7) Does not provide accommodations for patient stays of longer than twenty-four (24) hours.
- (8) Provides full-time services of registered and licensed nurses for the professional care of the patients in the postanesthesia recovery room.
- (9) Has available the necessary equipment and trained personnel to handle foreseeable emergencies such as a defibrillator for cardiac arrest, a tracheotomy set for airway obstructions, and a blood bank or other blood supply.
- (10) Maintains a written agreement with at least one (1) hospital for immediate acceptance of patients who develop complications or require postoperative confinement.
- (11) Provides for the periodic review of the center and the center's operations by a committee of at least three (3) licensed physicians having no financial connections with the center.
- (12) Maintains adequate medical records for each patient.
- (13) Meets all additional minimum requirements as established by the state department for building and equipment requirements.
- (14) Meets the rules and other requirements established by the state department for the health, safety, and welfare of the patients.

(b) The term does not include a birthing center.

*As added by P.L.2-1993, SEC.1. Amended by P.L.17-2004, SEC.1; P.L.96-2005, SEC.1.*

#### **IC 16-18-2-15**

##### **Anabolic steroid**

Sec. 15. "Anabolic steroid", for purposes of IC 16-42-19, means a material, compound, mixture, or preparation that contains an anabolic steroid that includes any of the following:

- Chorionic gonadotropin
- Clostebol

Dehydrochlormethyltestosterone  
Ethylestrenol  
Fluoxymesterone  
Mesterolone  
Metenolone  
Methandienone  
Methandro stenolone  
Methyltestosterone  
Nandrolone decanoate  
Nandrolone phenpropionate  
Norethandrolone  
Oxandrolone  
Oxymesterone  
Oxymetholone  
Stanozolol  
Testosterone propionate  
Testosterone-like related compounds.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-16**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-17**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-17.2**

##### **Anatomic pathology service**

Sec. 17.2. "Anatomic pathology service", for purposes of IC 16-48-1, has the meaning set forth in IC 16-48-1-1.

*As added by P.L.6-2012, SEC.110.*

#### **IC 16-18-2-18**

##### **Antibiotic drug**

Sec. 18. "Antibiotic drug", for purposes of IC 16-42-3, has the meaning set forth in IC 16-42-3-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-19**

##### **Applicant**

Sec. 19. (a) "Applicant", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-2.

(b) "Applicant", for purposes of IC 16-26-2, has the meaning set forth in IC 16-26-2-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.256-1999, SEC.3.*

#### **IC 16-18-2-20**

##### **Appropriate facility**

Sec. 20. "Appropriate facility", for purposes of IC 16-36-3, has

the meaning set forth in IC 16-36-3-1.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-21**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-22**

##### **Approved postsecondary educational institution**

Sec. 22. "Approved postsecondary educational institution" has the meaning set forth in IC 21-7-13-6(a).

*As added by P.L.2-1993, SEC.1. Amended by P.L.2-2007, SEC.179.*

#### **IC 16-18-2-23**

##### **Approved laboratory**

Sec. 23. "Approved laboratory", for purposes of IC 16-41-6 and IC 16-41-15, has the meaning set forth in IC 16-41-15-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.237-2003, SEC.3.*

#### **IC 16-18-2-24**

##### **Armed forces of the United States**

Sec. 24. "Armed forces of the United States", for purposes of IC 16-33-4, has the meaning set forth in IC 16-33-4-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-25**

##### **Artificial insemination**

Sec. 25. "Artificial insemination", for purposes of IC 16-41-14, has the meaning set forth in IC 16-41-14-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-26**

##### **Assembly**

Sec. 26. "Assembly", for purposes of IC 16-41-22, has the meaning set forth in IC 16-41-22-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-26.5**

##### **Association**

Sec. 26.5. "Association", for purposes of IC 16-39-5-3, has the meaning set forth in IC 16-39-5-3(a).

*As added by P.L.231-1999, SEC.10.*

#### **IC 16-18-2-27**

##### **ASTM**

Sec. 27. "ASTM" refers to the American Society for Testing and Materials.

*As added by P.L.2-1993, SEC.1. Amended by P.L.177-1993, SEC.1.*

#### **IC 16-18-2-28**



**Atomic energy**

Sec. 28. "Atomic energy", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-28.5****Attendant care services**

Sec. 28.5. (a) "Attendant care services", for purposes of IC 16-27-1 and IC 16-27-4, means services:

- (1) that could be performed by an impaired individual for whom the services are provided if the individual were not impaired; and
  - (2) that enable the impaired individual:
    - (A) to live in the individual's home and community rather than in an institution; and
    - (B) to carry out functions of daily living, self-care, and mobility.
- (b) The term includes the following:
- (1) Assistance in getting in and out of beds, wheelchairs, and motor vehicles.
  - (2) Assistance with routine bodily functions, including:
    - (A) bathing and personal hygiene;
    - (B) using the toilet;
    - (C) dressing and grooming; and
    - (D) feeding, including preparation and cleanup.
  - (3) The provision of assistance:
    - (A) through providing reminders or cues to take medication, the opening of preset medication containers, and providing assistance in the handling or ingesting of noncontrolled substance medications, including eye drops, herbs, supplements, and over-the-counter medications; and
    - (B) to an individual who is unable to accomplish the task due to an impairment and who is:
      - (i) competent and has directed the services; or
      - (ii) incompetent and has the services directed by a competent individual who may consent to health care for the impaired individual.

*As added by P.L.255-2001, SEC.12. Amended by P.L.212-2005, SEC.3.*

**IC 16-18-2-29****Attending physician**

Sec. 29. "Attending physician" means the licensed physician who has the primary responsibility for the treatment and care of the patient. For purposes of IC 16-36-5, the term includes a physician licensed in another state.

*As added by P.L.2-1993, SEC.1. Amended by P.L.148-1999, SEC.1.*

**IC 16-18-2-30****Authority**

Sec. 30. "Authority" refers to the following:

- (1) For purposes of IC 16-22-6, the authority created under IC 16-22-6-2.
- (2) For purposes of IC 16-22-7, the authority created under IC 16-22-7-5.
- (3) For purposes of IC 16-22:
  - (A) the authority created under IC 16-22-6-2; or
  - (B) the county building authority provided for in IC 36-9-13.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-30.5**

##### **Auto-injector**

Sec. 30.5. "Auto-injector" means a spring loaded needle and syringe:

- (1) containing a single dose of medication; and
- (2) that automatically releases and injects the medication.

*As added by P.L.17-2002, SEC.2.*

#### **IC 16-18-2-31**

##### **Autologous donation**

Sec. 31. "Autologous donation", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-32**

##### **Autopsy**

Sec. 32. "Autopsy", for purposes of IC 16-36-2, has the meaning set forth in IC 16-36-2-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-33**

##### **Bank**

Sec. 33. "Bank", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-33.5**

##### **Basic life support**

Sec. 33.5. (a) "Basic life support", for purposes of IC 16-31, means the following:

- (1) Assessment of emergency patients.
- (2) Administration of oxygen.
- (3) Use of mechanical breathing devices.
- (4) Application of anti-shock trousers.
- (5) Performance of cardiopulmonary resuscitation.
- (6) Application of dressings and bandage materials.
- (7) Application of splinting and immobilization devices.
- (8) Use of lifting and moving devices to ensure safe transport.
- (9) Administration of epinephrine through an auto-injector.
- (10) Other procedures authorized by the Indiana emergency

medical services commission, including procedures contained in the revised national emergency medical technician basic training curriculum guide.

(b) Except as provided by:

(1) subsection (a)(9) and the training and certification standards established under IC 16-31-2-9(3); and

(2) the training standards established under IC 16-31-2-9(4);

the term does not include invasive medical care techniques or advanced life support.

*As added by P.L.186-1995, SEC.1. Amended by P.L.17-2002, SEC.3; P.L.93-2002, SEC.1; P.L.205-2003, SEC.10; P.L.74-2006, SEC.1; P.L.77-2012, SEC.6.*

#### **IC 16-18-2-34**

##### **Bed and breakfast establishments**

Sec. 34. "Bed and breakfast establishments", for purposes of IC 16-41-31, has the meaning set forth in IC 16-41-31-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-35**

##### **Bedding**

Sec. 35. "Bedding", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-5.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-36**

##### **Biologicals**

Sec. 36. "Biologicals", for purposes of IC 16-41-19, has the meaning set forth in IC 16-41-19-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-36.5**

##### **Birthing center**

Sec. 36.5. (a) "Birthing center", for purposes of IC 16-21-2 and IC 16-21-7.5, means a freestanding entity that has the sole purpose of delivering a normal or uncomplicated pregnancy.

(b) The term does not include a hospital that is licensed as a hospital under IC 16-21-2.

*As added by P.L.96-2005, SEC.3. Amended by P.L.134-2008, SEC.8.*

#### **IC 16-18-2-36.9**

##### **Blood**

Sec. 36.9. "Blood", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-2.5.

*As added by P.L.213-2013, SEC.1.*

#### **IC 16-18-2-37**

##### **Blood center**

Sec. 37. "Blood center", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-37.5**

##### **Board**

Sec. 37.5. (a) "Board", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-2.1.

(b) "Board", for purposes of IC 16-41-42.2, has the meaning set forth in IC 16-41-42.2-1.

*As added by P.L.184-2005, SEC.4. Amended by P.L.234-2007, SEC.44; P.L.3-2008, SEC.103.*

#### **IC 16-18-2-37.7**

##### **Board of commissioners**

Sec. 37.7. "Board of commissioners", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-3.

*As added by P.L.2-2007, SEC.180.*

#### **IC 16-18-2-37.8**

##### **Board of trustees**

Sec. 37.8. "Board of trustees", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-4.

*As added by P.L.2-2007, SEC.181.*

#### **IC 16-18-2-38**

##### **Branch locker plant**

Sec. 38. "Branch locker plant" means a location or an establishment in which space in individual lockers is rented to individuals for the storage of food at not more than forty-five (45) degrees Fahrenheit after the food has been prepared for storage at a central plant.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-39**

##### **Brand name**

Sec. 39. "Brand name", for purposes of IC 16-42-22, has the meaning set forth in IC 16-42-22-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-40**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-41**

##### **Building**

Sec. 41. (a) "Building", for purposes of IC 16-22 and except as provided in subsection (b), means a building, or an addition, for hospital purposes, and includes the site if a site is acquired, the equipment, heating facilities, sewage disposal facilities, landscaping, walks, drives, parking facilities and other structures, facilities, appurtenances, materials, and supplies that may be necessary to

render that building suitable for use and occupancy for hospital purposes.

(b) "Building", for purposes of IC 16-22-2, has the meaning set forth in subsection (a) and includes, in the discretion of the governing board, clinics and offices for physicians.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-42**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-43**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-44**

**Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-45**

**Byproduct material**

Sec. 45. "Byproduct material", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-46**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-47**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-48**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-48.5**

**Cardiopulmonary resuscitation or CPR**

Sec. 48.5. "Cardiopulmonary resuscitation" or "CPR", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-1.

*As added by P.L.148-1999, SEC.2.*

**IC 16-18-2-49**

**Carrier**

Sec. 49. "Carrier", for purposes of IC 16-41, means a person who has:

- (1) tuberculosis in a communicable stage; or
- (2) another dangerous communicable disease.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-50****Repealed**

*(Repealed by P.L.28-2009, SEC.16.)*

**IC 16-18-2-51****Center**

Sec. 51. (a) "Center", for purposes of IC 16-19-10, has the meaning set forth in IC 16-19-10-1.

(b) "Center", for purposes of IC 16-33-3, has the meaning set forth in IC 16-33-3-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-51.5****Certified food handler**

Sec. 51.5. "Certified food handler", for purposes of IC 16-42-5.2, has the meaning set forth in IC 16-42-5.2-4.

*As added by P.L.266-2001, SEC.1.*

**IC 16-18-2-52****Certificate or certification**

Sec. 52. "Certificate" or "certification", for purposes of IC 16-31, means authorization in written form issued by the Indiana emergency medical services commission to a person to furnish, operate, conduct, maintain, advertise, or otherwise engage in providing emergency medical services as a part of a regular course of doing business, either paid or voluntary.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-52.5****Charity care; financially indigent; medically indigent**

Sec. 52.5. (a) "Charity care", for purposes of IC 16-21-6 and IC 16-21-9, means the unreimbursed cost to a hospital of providing, funding, or otherwise financially supporting health care services:

- (1) to a person classified by the hospital as financially indigent or medically indigent on an inpatient or outpatient basis; and
- (2) to financially indigent patients through other nonprofit or public outpatient clinics, hospitals, or health care organizations.

(b) As used in this section, "financially indigent" means an uninsured or underinsured person who is accepted for care with no obligation or a discounted obligation to pay for the services rendered based on the hospital's financial criteria and procedure used to determine if a patient is eligible for charity care. The criteria and procedure must include income levels and means testing indexed to the federal poverty guidelines. A hospital may determine that a person is financially or medically indigent under the hospital's eligibility system after health care services are provided.

(c) As used in this section, "medically indigent" means a person whose medical or hospital bills after payment by third party payors exceed a specified percentage of the patient's annual gross income as determined in accordance with the hospital's eligibility system, and

who is financially unable to pay the remaining bill.  
*As added by P.L.94-1994, SEC.1.*

#### **IC 16-18-2-53**

##### **Checklist**

Sec. 53. "Checklist", for purposes of IC 16-20-8, has the meaning set forth in IC 16-20-8-1.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-54**

##### **Repealed**

*(Repealed by P.L.239-1999, SEC.9.)*

#### **IC 16-18-2-54.3**

##### **Child**

Sec. 54.3. "Child", for purposes of IC 16-35-8, has the meaning set forth in IC 16-35-8-1.  
*As added by P.L.1-2010, SEC.68.*

#### **IC 16-18-2-54.5**

##### **Childhood hazards**

Sec. 54.5. "Childhood hazards", for purposes of IC 16-41-40, has the meaning set forth in IC 16-41-40-1.5.  
*As added by P.L.101-1999, SEC.1.*

#### **IC 16-18-2-54.7**

##### **Child-occupied facility**

Sec. 54.7. "Child-occupied facility", for purposes of lead-based paint activities and IC 16-41-39.8, means a building or a portion of a building that:

- (1) was constructed before 1978;
- (2) does not qualify as target housing (as defined in section 346.3 of this chapter); and
- (3) is visited regularly by a child who is not more than six (6) years of age under the following circumstances described in clause (A), (B), or (C):
  - (A) The child visits at least two (2) days a week (Sunday through Saturday) and each of the visits lasts at least three (3) hours.
  - (B) The child visits at least six (6) hours each week.
  - (C) The child's combined annual visits during a calendar year total at least sixty (60) hours.

The term includes day care centers, preschools, and kindergarten classrooms.

*As added by P.L.57-2009, SEC.4.*

#### **IC 16-18-2-55**

##### **Children**

Sec. 55. "Children", for purposes of IC 16-35-2, has the meaning set forth in IC 16-35-2-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-55.5**

##### **Chronic disease**

Sec. 55.5. "Chronic disease", for purposes of IC 16-38-6, has the meaning set forth in IC 16-38-6-1.

*As added by P.L.212-2003, SEC.2.*

#### **IC 16-18-2-56**

##### **City health department**

Sec. 56. "City health department", for purposes of IC 16-20-4, has the meaning set forth in IC 16-20-4-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-56.2**

##### **Clearance examination**

Sec. 56.2. "Clearance examination", for purposes of IC 16-41-39.4, means an activity conducted by a clearance examiner who is licensed under IC 16-41-39.8 to establish proper completion of interim controls (as defined in 24 CFR 35.110).

*As added by P.L.102-2008, SEC.2. Amended by P.L.57-2009, SEC.5.*

#### **IC 16-18-2-56.3**

##### **Client**

Sec. 56.3. "Client", for purposes of IC 16-27-4, has the meaning set forth in IC 16-27-4-1.

*As added by P.L.212-2005, SEC.4.*

#### **IC 16-18-2-56.5**

##### **Cloning**

Sec. 56.5. (a) "Cloning" means the use of asexual reproduction to create or grow a human embryo from a single cell or cells of a genetically identical human.

(b) The term does not include:

(1) a treatment or procedure to enhance human reproductive capability through the manipulation of human oocytes or embryos, including the following:

(A) In vitro fertilization.

(B) Gamete intrafallopian transfer.

(C) Zygote intrafallopian transfer; or

(2) the following types of stem cell research:

(A) Adult stem cell.

(B) Fetal stem cell, as long as the biological parent has given written consent for the use of the fetal stem cells.

(C) Embryonic stem cells from lines that are permissible for use under applicable federal law.

*As added by P.L.126-2005, SEC.2.*

#### **IC 16-18-2-57**

##### **Cold storage**



Sec. 57. "Cold storage", for purposes of IC 16-42, means the storage of foods for at least thirty (30) days and at a temperature of not more than forty-five (45) degrees Fahrenheit.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-58**

##### **Cold storage warehouse**

Sec. 58. (a) "Cold storage warehouse", for purposes of IC 16-42, means a structure, a part of a structure, or a fixture that meets the following conditions:

- (1) Uses refrigerating machinery or ice for the purpose of refrigeration.
- (2) Is used for cold storage of foods.
- (b) The term does not include the following:
  - (1) A locker plant or a branch locker plant.
  - (2) Refrigerated storage facilities operated by a farmer and used exclusively for the storage of raw, unprocessed fruits or vegetables produced by the farmer on the farmer's farm.
  - (3) Cold storage equipment used to store perishable foods or food products in conjunction with a dairy operation or a retail grocery.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-59**

##### **Color**

Sec. 59. "Color", for purposes of IC 16-42-1 through IC 16-42-4, includes black, white, and intermediate grays.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-60**

##### **Color additive**

Sec. 60. (a) "Color additive", for purposes of IC 16-42-1 through IC 16-42-4, means a material that:

- (1) is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source; or
- (2) when added or applied to a food, drug, or cosmetic or to the human body is capable (alone or through reaction with other substances) of imparting color.

The term does not include any material that has been exempted under the Federal Act.

(b) Subsection (a) does not apply to a pesticide chemical, soil or plant nutrient, or otherwise, affecting, directly or indirectly, the growth or other natural physiological process of produce of the soil and thereby affecting the produce's color, either before or after harvest.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.58.*

#### **IC 16-18-2-61**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-62****Commission**

Sec. 62. (a) "Commission", for purposes of IC 16-19-6, refers to the commission for special institutions.

(b) "Commission", for purposes of IC 16-31, refers to the Indiana emergency medical services commission.

(c) "Commission", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.61-2004, SEC.1.*

**IC 16-18-2-63****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-64****Communicable disease**

Sec. 64. "Communicable disease", for purposes of IC 16-41, has the meaning prescribed by the state department under IC 16-41-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-64.4****Community**

Sec. 64.4. "Community", for purposes of IC 16-21-6 and IC 16-21-9, means the primary geographic area encompassing at least the entire county in which the hospital is located and patient categories for which the hospital provides health care services.

*As added by P.L.94-1994, SEC.2.*

**IC 16-18-2-64.5****Community benefits**

Sec. 64.5. "Community benefits", for purposes of IC 16-21-9, has the meaning set forth in IC 16-21-9-1.

*As added by P.L.94-1994, SEC.3.*

**IC 16-18-2-65****Community health services**

Sec. 65. "Community health services", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-66****Community or migrant health center**

Sec. 66. "Community or migrant health center", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-66.5**

**Competent witness**

Sec. 66.5. "Competent witness", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-2.

*As added by P.L.148-1999, SEC.3.*

**IC 16-18-2-66.7****Component**

Sec. 66.7. "Component", for purposes of IC 16-41-39.8, has the meaning set forth in 24 CFR 35.110, as in effect July 1, 2002.

*As added by P.L.57-2009, SEC.6.*

**IC 16-18-2-67****Comprehensive care bed**

Sec. 67. (a) "Comprehensive care bed", for purposes of IC 16-28-16, has the meaning set forth in IC 16-28-16-2.

(b) "Comprehensive care bed", for purposes of IC 16-29-2, has the meaning set forth in IC 16-29-2-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.97-2004, SEC.63; P.L.229-2011, SEC.155.*

**IC 16-18-2-67.5****Comprehensive plan**

Sec. 67.5. "Comprehensive plan", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-5.

*As added by P.L.2-2007, SEC.182.*

**IC 16-18-2-68****Confirmatory test**

Sec. 68. "Confirmatory test", for purposes of IC 16-41-12 and IC 16-41-14, has the meaning set forth in IC 16-41-12-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-69****"Consent"**

Sec. 69. (a) "Consent", for purposes of IC 16-34, means a written agreement to submit to an abortion:

(1) after the consenting party has had a full explanation of the abortion procedure to be performed, including disclosures and information required by IC 16-34-2-1.1; and

(2) as evidenced by the signature of the consenting party on a consent form prescribed by the state department of health.

(b) "Consent", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.187-1995, SEC.1; P.L.164-2013, SEC.1.*

**IC 16-18-2-69.2****Consumer product**

Sec. 69.2. "Consumer product", for purposes of IC 16-41-39.4, means an item or a component of an item that is produced or

distributed for:

- (1) sale to a consumer for use; or
- (2) the personal use, consumption, or enjoyment of a consumer.

*As added by P.L.102-2008, SEC.3.*

### **IC 16-18-2-69.3**

#### **Continuing care retirement community**

Sec. 69.3. "Continuing care retirement community", for purposes of IC 16-28-15, has the meaning set forth in IC 16-28-15-2.

*As added by P.L.229-2011, SEC.156.*

### **IC 16-18-2-69.4**

#### **Contractual allowances**

Sec. 69.4. "Contractual allowances", for purposes of IC 16-21-6, has the meaning set forth in IC 16-21-6-0.1.

*As added by P.L.94-1994, SEC.4.*

### **IC 16-18-2-69.5**

#### **Contributions**

Sec. 69.5. "Contributions", for purposes of IC 16-21-6 and IC 16-21-9, means the dollar value of cash donations and the fair market value at the time of donation of in kind donations to the hospital from individuals, organizations, or other entities. The term does not include the value of a donation designated or otherwise restricted by the donor for purposes other than charity care.

*As added by P.L.94-1994, SEC.5.*

### **IC 16-18-2-70**

#### **Construct, erect, or build**

Sec. 70. "Construct", "erect", or "build", for purposes of IC 16-22, includes the renovation or rebuilding of an existing structure.

*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-70.1**

#### **Construction project**

Sec. 70.1. "Construction project" has the meaning set forth in IC 16-21-2-11.5(a).

*As added by P.L.67-2005, SEC.1.*

### **IC 16-18-2-71**

#### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

### **IC 16-18-2-72**

#### **Consumer commodity**

Sec. 72. (a) "Consumer commodity", for purposes of IC 16-42-1 through IC 16-42-4, except as otherwise specifically provided by this section, means any food, drug, device, or cosmetic as those terms are defined by this article or in rules adopted under IC 16-42-1.

(b) The term does not include any of the following:

- (1) Tobacco or a tobacco product.
- (2) A commodity subject to packaging or labeling requirements imposed under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136) or the provisions of the eighth paragraph under the heading "Bureau of Animal Industry" of the Act of March 4, 1913 (37 Stat. 832-833; 21 U.S.C. 151-157) commonly known as the Virus-Serum Toxin Act.
- (3) A drug subject to IC 16-42-3-6(a)(2), IC 16-42-3-4(12), or Section 503(b)(1) or 506 of the Federal Act.
- (4) A beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. et seq.).
- (5) A commodity subject to the Federal Seed Act (7 U.S.C. 1551-1610).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-73**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-74**

##### **Contaminated sharp**

Sec. 74. "Contaminated sharp", for purposes of IC 16-41-16, has the meaning set forth in IC 16-41-16-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-75**

##### **Contaminated with filth**

Sec. 75. "Contaminated with filth", for purposes of IC 16-42-1 through IC 16-42-4, applies to a food, drug, device, or cosmetic not securely protected from dust, dirt, and as far as necessary by all reasonable means, from all foreign or injurious contaminations.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-76**

##### **Contracting county**

Sec. 76. "Contracting county", for purposes of IC 16-24-2, has the meaning set forth in IC 16-24-2-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-77**

##### **Contributing county**

Sec. 77. "Contributing county", for purposes of IC 16-22-6, has the meaning set forth in IC 16-22-6-27.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-78**

##### **Controlled premises**

Sec. 78. "Controlled premises", for purposes of IC 16-42-20-2, has the meaning set forth in IC 16-42-20-2(a).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-79**

##### **Controlled substance**

Sec. 79. "Controlled substance", for purposes of IC 16-42-21, has the meaning set forth in IC 16-42-21-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-80**

##### **Corporation**

Sec. 80. "Corporation", for purposes of IC 16-22-8, IC 16-42-5, and IC 16-42-5.2, means the health and hospital corporation created under IC 16-22-8.

*As added by P.L.2-1993, SEC.1. Amended by P.L.266-2001, SEC.2.*

#### **IC 16-18-2-81**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-82**

##### **Cosmetic**

Sec. 82. (a) "Cosmetic", for purposes of IC 16-42-1 through IC 16-42-4, means:

- (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance; and
- (2) articles intended for use as a component of any of those articles.

(b) The term does not include soap.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-82.8**

##### **Cost of receivership**

Sec. 82.8. "Cost of receivership", for purposes of IC 16-28-8, has the meaning set forth in IC 16-28-8-0.5.

*As added by P.L.29-2002, SEC.1.*

#### **IC 16-18-2-83**

##### **Cost of construction**

Sec. 83. "Cost of construction", for purposes of IC 16-45, means the amount found by the Surgeon General of the United States to be necessary for the construction of a project.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-84**

##### **Council**

Sec. 84. "Council" refers to the following:

- (1) For purposes of IC 16-21, IC 16-25, IC 16-27, IC 16-28, and IC 16-29, the health care facility advisory council.

(2) For purposes of IC 16-46-6, the interagency state council on black and minority health.

*As added by P.L.2-1993, SEC.1. Amended by P.L.12-2004, SEC.1; P.L.156-2011, SEC.6; P.L.197-2011, SEC.54.*

#### **IC 16-18-2-85**

##### **Counterfeit drug**

Sec. 85. "Counterfeit drug", for purposes of IC 16-42-1 through IC 16-42-4, means a drug:

(1) that, without authorization:

(A) bears;

(B) is labeled with; or

(C) is in a container that bears;

the trademark, trade name, or other identifying mark, imprint, or device, or any likeness of a drug manufacturer, processor, packer, or distributor other than the person or persons who in fact manufactured, processed, packed, or distributed the drug; and

(2) that falsely purports or is represented:

(A) to be the product of; or

(B) to have been packed or distributed by;

the other drug manufacturer, processor, packer, or distributor.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-86**

##### **County**

Sec. 86. "County", for the purposes of IC 16-22, means a county that owns and operates a county hospital.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-86.5**

##### **County council**

Sec. 86.5. "County council", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-6.

*As added by P.L.2-2007, SEC.183.*

#### **IC 16-18-2-87**

##### **County health fund**

Sec. 87. "County health fund", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-4.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-88**

##### **County of residence of the child**

Sec. 88. "County of residence of the child", for purposes of IC 16-33-4, has the meaning set forth in IC 16-33-4-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-89**

##### **Customer**

Sec. 89. "Customer", for purposes of IC 16-42-22, has the meaning set forth in IC 16-42-22-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-90**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-91**

##### **Dangerous communicable disease**

Sec. 91. "Dangerous communicable disease", for purposes of IC 16-41, means a communicable disease that is classified by the state department as dangerous under IC 16-41-2-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-91.3**

##### **Data aggregation**

Sec. 91.3. "Data aggregation" has the meaning set forth in IC 16-39-5-3(b).

*As added by P.L.44-2002, SEC.1.*

#### **IC 16-18-2-92**

##### **Dead body**

Sec. 92. "Dead body", for purposes of IC 16-37-3, has the meaning set forth in IC 16-37-3-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-92.4**

##### **"Declarant"**

Sec. 92.4. (a) "Declarant", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-3.

(b) "Declarant", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-2.

*As added by P.L.148-1999, SEC.4. Amended by P.L.164-2013, SEC.2.*

#### **IC 16-18-2-92.6**

##### **Department**

Sec. 92.6. (a) "Department", for purposes of IC 16-31-8.5, has the meaning set forth in IC 16-31-8.5-1.

(b) "Department", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-1.

*As added by P.L.50-2004, SEC.2. Amended by P.L.101-2006, SEC.24.*

#### **IC 16-18-2-93**

##### **Designated health official**

Sec. 93. "Designated health official", for purposes of IC 16-41, means:

- (1) the state health commissioner;



- (2) an assistant state health commissioner; or
- (3) a person designated by the state health commissioner or assistant state health commissioner to implement IC 16-41 in a specific situation.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-94**

##### **Device**

Sec. 94. "Device", for purposes of IC 16-42-1 through IC 16-42-4 except for IC 16-42-1-7, IC 16-42-1-16(7), IC 16-42-2-3(7), IC 16-42-3-4(3), and IC 16-42-4-3(3), means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended:

- (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; or
- (2) to affect the structure or any function of the body of man or other animals.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-95**

##### **Directed donation**

Sec. 95. "Directed donation", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-5.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-96**

##### **Director**

Sec. 96. (a) "Director", for purposes of IC 16-19-13, refers to the director of the office of women's health established by IC 16-19-13-2.

(b) "Director", for purposes of IC 16-19-14, refers to the director of the office of minority health established by IC 16-19-14-4.

(c) "Director", for purposes of IC 16-27, means the individual acting under the authority of and assigned the responsibility by the state health commissioner to implement IC 16-27.

(d) "Director", for purposes of IC 16-28, IC 16-29, and IC 16-30, means the individual acting under the authority of and assigned the responsibility by the state health commissioner to implement IC 16-28, IC 16-29, and IC 16-30.

(e) "Director", for purposes of IC 16-31, refers to the executive director of the department of homeland security established by IC 10-19-2-1.

(f) "Director", for purposes of IC 16-35-2, refers to the director of the program for children with special health care needs.

*As added by P.L.2-1993, SEC.1. Amended by P.L.52-1999, SEC.1; P.L.2-2003, SEC.44; P.L.12-2004, SEC.2; P.L.22-2005, SEC.18; P.L.38-2010, SEC.1.*

#### **IC 16-18-2-96.5**

##### **Distributed for use**

Sec. 96.5. "Distributed for use", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-5.5.

*As added by P.L.213-2013, SEC.2.*

#### **IC 16-18-2-97**

##### **Division**

Sec. 97. "Division" means the following:

(1) For purposes of IC 16-21-8, the meaning set forth in IC 16-21-8-0.1.

(2) For purposes of IC 16-22-8, the meaning set forth in IC 16-22-8-3.

(3) For purposes of IC 16-27, a group of individuals under the supervision of the director within the state department assigned the responsibility of implementing IC 16-27.

(4) For purposes of IC 16-28, a group of individuals under the supervision of the director within the state department assigned the responsibility of implementing IC 16-28.

(5) For purposes of IC 16-41-40, the division of family resources established by IC 12-13-1-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.51-1998, SEC.1; P.L.12-2004, SEC.3; P.L.90-2005, SEC.1; P.L.41-2007, SEC.3; P.L.3-2008, SEC.104.*

#### **IC 16-18-2-98**

##### **Division director and director of a division**

Sec. 98. "Division director" and "director of a division", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-4.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-99**

##### **DNA test**

Sec. 99. "DNA test", for purposes of IC 16-37-2-10, has the meaning set forth in IC 16-37-2-10(a).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-99.3**

##### **DNR**

Sec. 99.3. "DNR", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-4.

*As added by P.L.148-1999, SEC.5.*

#### **IC 16-18-2-99.5**

##### **Donations**

Sec. 99.5. "Donations", for purposes of IC 16-21-6 and IC 16-21-9, means the unreimbursed costs of providing cash and in kind services and gifts, including facilities, equipment, personnel, and programs, to other nonprofit or public outpatient clinics, hospitals, or health care organizations.

*As added by P.L.94-1994, SEC.6.*

**IC 16-18-2-100****Donor insemination**

Sec. 100. "Donor insemination", for purposes of IC 16-41-14, has the meaning set forth in IC 16-41-14-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-101****Drug**

Sec. 101. (a) "Drug", for purposes of IC 16-42-1 through IC 16-42-4, means the following:

(1) Articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them.

(2) Articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals.

(3) Articles other than food intended to affect the structure or any function of the body of man or other animals.

(4) Articles intended for use as a component of any article specified in subdivision (1), (2), or (3).

The term does not include devices or their components, parts, or accessories.

(b) "Drug", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-102****Drug order**

Sec. 102. "Drug order", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-103****Drug sample**

Sec. 103. "Drug sample", for purposes of IC 16-42-21, has the meaning set forth in IC 16-42-21-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-104****Dwelling**

Sec. 104. "Dwelling" includes any part of any building or the building's premises used as a place of residence or habitation or for sleeping by a person.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-104.5****Education related costs**

Sec. 104.5. "Education related costs", for purposes of IC 16-21-6, has the meaning set forth in IC 16-21-6-0.2.

*As added by P.L.94-1994, SEC.7.*

**IC 16-18-2-105****Effective treatment**

Sec. 105. "Effective treatment", for purposes of IC 16-41-16, has the meaning set forth in IC 16-41-16-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-105.5****Eggs**

Sec. 105.5. "Eggs", for purposes of IC 16-42-11, has the meaning set forth in IC 16-42-11-1.1.

*As added by P.L.28-2009, SEC.1.*

**IC 16-18-2-106****Electronic products**

Sec. 106. "Electronic products", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-106.3****Electronic signature**

Sec. 106.3. For purposes of IC 16-42-3 and IC 16-42-22, "electronic signature" means an electronic sound, symbol, or process:

(1) attached to or logically associated with an electronically transmitted prescription or order; and

(2) executed or adopted by a person;

with the intent to sign the electronically transmitted prescription or order.

*As added by P.L.204-2005, SEC.1.*

**IC 16-18-2-106.4****Electronically transmitted and electronic transmission**

Sec. 106.4. For purposes of IC 16-42-3, IC 16-42-19, and IC 16-42-22, "electronically transmitted" or "electronic transmission" means the transmission of a prescription in electronic form. The term does not include transmission of a prescription by facsimile.

*As added by P.L.204-2005, SEC.2.*

**IC 16-18-2-106.5****Eligible medical condition**

Sec. 106.5. "Eligible medical condition" means a condition for which an individual is eligible for assistance under IC 16-35-2.

*As added by P.L.79-1999, SEC.1.*

**IC 16-18-2-106.6****Elevated blood lead level**

Sec. 106.6. "Elevated blood lead level", for purposes of IC 16-41-39.8, means a blood lead level of at least ten (10) micrograms of lead per deciliter of whole blood.

*As added by P.L.57-2009, SEC.7.*

**IC 16-18-2-107****Emergency ambulance services**

Sec. 107. "Emergency ambulance services", for purposes of IC 16-31, means the transportation of emergency patients by ambulance and the administration of basic life support to emergency patients before or during the transportation.

*As added by P.L.2-1993, SEC.1. Amended by P.L.186-1995, SEC.2.*

**IC 16-18-2-108****Repealed**

*(Repealed by P.L.186-1995, SEC.19.)*

**IC 16-18-2-109****Repealed**

*(Repealed by P.L.186-1995, SEC.19.)*

**IC 16-18-2-109.1****Emergency medical dispatch agency**

Sec. 109.1. "Emergency medical dispatch agency", for purposes of IC 16-31-3.5, has the meaning set forth in IC 16-35-3.5-1.

*As added by P.L.205-2003, SEC.11.*

**IC 16-18-2-109.3****Emergency medical dispatcher**

Sec. 109.3. "Emergency medical dispatcher", for purposes of IC 16-31-3.5, has the meaning set forth in IC 16-35-3.5-1.

*As added by P.L.205-2003, SEC.12.*

**IC 16-18-2-109.5****Emergency medical dispatching**

Sec. 109.5. "Emergency medical dispatching", for purposes of IC 16-31-3.5, has the meaning set forth in IC 16-35-3.5-1.

*As added by P.L.205-2003, SEC.13.*

**IC 16-18-2-109.8****Emergency medical responder**

Sec. 109.8. "Emergency medical responder", for purposes of IC 16-31, means an individual who is:

- (1) certified under IC 16-31 and who meets the Indiana emergency medical services commission's standards for emergency medical responder certification; and
- (2) the first individual to respond to an incident requiring emergency medical services.

*As added by P.L.77-2012, SEC.7.*

**IC 16-18-2-110****Emergency medical services**

Sec. 110. "Emergency medical services", for purposes of IC 16-31, means the provision of emergency ambulance services or other services, including extrication and rescue services, utilized in

serving an individual's need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-111**

##### **Emergency medical service facility**

Sec. 111. "Emergency medical service facility", for purposes of IC 16-31 and IC 16-41, means those facilities that are licensed and operated under IC 16-21-2 and that are equipped, prepared, and staffed to provide medical care for emergency patients.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-112**

##### **Emergency medical technician**

Sec. 112. "Emergency medical technician", for purposes of IC 16-31, means an individual who is certified under this article to provide basic life support at the scene of an accident, illness, or during transport.

*As added by P.L.2-1993, SEC.1. Amended by P.L.186-1995, SEC.3.*

#### **IC 16-18-2-112.5**

##### **Repealed**

*(Repealed by P.L.77-2012, SEC.8.)*

#### **IC 16-18-2-112.7**

##### **Repealed**

*(Repealed by P.L.77-2012, SEC.9.)*

#### **IC 16-18-2-113**

##### **Emergency patient**

Sec. 113. (a) "Emergency patient", for purposes of IC 16-31, means an individual who:

- (1) is acutely ill, injured, incapacitated, or helpless; and
- (2) requires emergency medical services.

(b) The term includes an individual who:

- (1) requires transportation on a litter or cot; or
- (2) is transported in a vehicle certified as an ambulance under IC 16-31-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-114**

##### **Employer**

Sec. 114. "Employer", for purposes of IC 16-41-11, has the meaning set forth in IC 16-41-11-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-114.5**

##### **Encapsulant**

Sec. 114.5. "Encapsulant", for purposes of IC 16-41-39.8, means

a substance that forms a barrier between lead-based paint and the environment using a liquid applied coating, with or without reinforcement materials, or an adhesively bonded covering material.  
*As added by P.L.57-2009, SEC.8.*

#### **IC 16-18-2-114.6**

##### **Encapsulation**

Sec. 114.6. "Encapsulation", for purposes of IC 16-41-39.8, means the application of an encapsulant.  
*As added by P.L.57-2009, SEC.9.*

#### **IC 16-18-2-115**

##### **Enriched**

Sec. 115. "Enriched", as applied to flour, for purposes of IC 16-42-10, has the meaning set forth in IC 16-42-10-1.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-116**

##### **Environmental commissioner**

Sec. 116. "Environmental commissioner", for purposes of IC 16-41, refers to the commissioner of the department of environmental management appointed under IC 13-13-2-1.  
*As added by P.L.2-1993, SEC.1. Amended by P.L.1-1996, SEC.71.*

#### **IC 16-18-2-116.2**

##### **Environmental investigation**

Sec. 116.2. "Environmental investigation" means an identification and evaluation of lead hazards from nonstructural sources in a child's environment. The term includes the following:

- (1) Presentation of results of the identification and evaluation, including recommendations for reducing or eliminating exposure.
- (2) Education of the child's family concerning:
  - (A) lead hazards found; and
  - (B) temporary and permanent measures to protect the child from further exposure.

*As added by P.L.102-2008, SEC.4.*

#### **IC 16-18-2-117**

##### **Established name**

Sec. 117. "Established name", for purposes of IC 16-42-3, has the meaning set forth in IC 16-42-3-2.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-118**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-119**

##### **Executive**

Sec. 119. "Executive" has the meaning set forth in IC 36-1-2-5.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-120**

##### **Executive board**

Sec. 120. (a) "Executive board", except as provided in subsection (b), refers to the executive board of the state department of health.

(b) "Executive board", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-7.

*As added by P.L.2-1993, SEC.1. Amended by P.L.2-2007, SEC.184.*

#### **IC 16-18-2-121**

##### **Executive director**

Sec. 121. "Executive director", for purposes of IC 16-22, means the chief administrative officer, president, or other individual appointed under IC 16-22-3-8.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-121.3**

##### **Expanded criminal history check**

Sec. 121.3. "Expanded criminal history check", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-0.5.

*As added by P.L.42-2011, SEC.35.*

#### **IC 16-18-2-121.5**

##### **Extended length of stay**

Sec. 121.5. "Extended length of stay" means a length of stay in an acute care hospital inpatient unit that exceeds one (1) standard deviation of the hospital wide average length of stay.

*As added by P.L.162-1999, SEC.1.*

#### **IC 16-18-2-122**

##### **Facility**

Sec. 122. "Facility", for purposes of IC 16-41-11, has the meaning set forth in IC 16-41-11-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-123**

##### **Repealed**

*(Repealed by P.L.256-1999, SEC.19.)*

#### **IC 16-18-2-124**

##### **Federal act**

Sec. 124. "Federal act", for purposes of IC 16-42-1 through IC 16-42-4, refers to the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.; 52 Stat. 1040 et seq.) and amendments to that statute.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-125**



**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-126****Federal Food, Drug, and Cosmetic Act**

Sec. 126. "Federal Food, Drug, and Cosmetic Act" means 21 U.S.C. 301 et seq.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-127****Federal Meat Inspection Act**

Sec. 127. "Federal Meat Inspection Act" means 21 U.S.C. 601 et seq.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-128****Federal Poultry Products Inspection Act**

Sec. 128. "Federal Poultry Products Inspection Act" means 21 U.S.C. 451 et seq.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-128.3****Fertilization**

Sec. 128.3. "Fertilization", for purposes of IC 16-34, means the fusion of a human spermatozoon with a human ovum.

*As added by P.L.193-2011, SEC.2.*

**IC 16-18-2-128.5****Fetal stem cell**

Sec. 128.5. (a) "Fetal stem cell" means any of the following types of stem cells taken from a fetus that was either miscarried or stillborn from any of the following sources:

- (1) Placenta.
- (2) Umbilical cord.
- (3) Amniotic fluid.
- (4) Fetal tissue.

(b) The term does not include any cells that are taken as the result of an abortion.

*As added by P.L.126-2005, SEC.3. Amended by P.L.91-2012, SEC.1.*

**IC 16-18-2-129****Filling material**

Sec. 129. "Filling material", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-6.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-130****Financial institution**

Sec. 130. "Financial institution", for purposes of IC 16-22-3-20, has the meaning set forth in IC 16-22-3-20(a).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-131**

##### **Repealed**

*(Repealed by P.L.77-2012, SEC.10.)*

#### **IC 16-18-2-132**

##### **Fiscal body**

Sec. 132. "Fiscal body", except as provided in subsection (b), has the meaning set forth in IC 36-1-2-6.

*As added by P.L.2-1993, SEC.1. Amended by P.L.72-2001, SEC.1.*

#### **IC 16-18-2-133**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-134**

##### **Flour**

Sec. 134. "Flour", for purposes of IC 16-42-10, has the meaning set forth in IC 16-42-10-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-135**

##### **Food**

Sec. 135. (a) "Food", for purposes of IC 16-42-1 through IC 16-42-4 and IC 16-42-18, means the following:

- (1) Articles used for food, drink, confectionery, or condiment for humans.
- (2) Chewing gum.
- (3) Articles used for components of any of these articles.

(b) "Food", for purposes of IC 16-42-5 and IC 16-42-5.2, means the following:

- (1) All articles used for food, drink, confectionery, or condiment whether simple, mixed, or compound.
- (2) All substances or ingredients used in the preparation of the items described in subdivision (1).

*As added by P.L.2-1993, SEC.1. Amended by P.L.266-2001, SEC.3.*

#### **IC 16-18-2-136**

##### **Food additive**

Sec. 136. (a) "Food additive", for purposes of IC 16-42-1 through IC 16-42-4, means any substance the intended use of which results or may be reasonably expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food, and including any source or radiation intended for any such use) if the substance is not generally recognized among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown

through scientific procedures (or, in the case of a substance used in a food before January 1, 1958, through either scientific procedures or experience based on common use in food) to be safe under the conditions of the substance's intended use.

(b) The term does not include any of the following:

- (1) A pesticide chemical in or on a raw agricultural commodity.
- (2) A pesticide chemical to the extent that the chemical is intended for use or is used in the production, storage, or transportation of any raw agricultural commodity.
- (3) A color additive.
- (4) Any substance used in accordance with a sanction or approval granted before the enactment of the Food Additives Amendment of 1958, under the Federal Act; the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Meat Inspection Act of March 4, 1907 (34 Stat. 1260), as amended and extended (21 U.S.C. 71 et seq.).

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.59.*

## **IC 16-18-2-137**

### **Food establishment**

Sec. 137. (a) "Food establishment", for purposes of IC 16-42-5 and IC 16-42-5.2, means any building, room, basement, vehicle of transportation, cellar, or open or enclosed area occupied or used for handling food.

(b) The term does not include the following:

- (1) A dwelling where food is prepared on the premises by the occupants, free of charge, for their consumption or for consumption by their guests.
- (2) A gathering of individuals at a venue of an organization that is organized for educational purposes in a nonpublic educational setting or for religious purposes, if:
  - (A) the individuals separately or jointly provide or prepare, free of charge, and consume their own food or that of others attending the gathering; and
  - (B) the gathering is for a purpose of the organization.

Gatherings for the purpose of the organization include funerals, wedding receptions, christenings, bar or bat mitzvahs, baptisms, communions, and other events or celebrations sponsored by the organization.

- (3) A vehicle used to transport food solely for distribution to the needy, either free of charge or for a nominal donation.
- (4) A private gathering of individuals who separately or jointly provide or prepare and consume their own food or that of others attending the gathering, regardless of whether the gathering is held on public or private property.
- (5) Except for food prepared by a for-profit entity, a venue of the sale of food prepared for an organization:
  - (A) that is organized for:
    - (i) religious purposes; or
    - (ii) educational purposes in a nonpublic educational

- setting;
- (B) that is exempt from taxation under Section 501 of the Internal Revenue Code; and
- (C) that offers the food for sale to the final consumer at an event held for the benefit of the organization;
- unless the food is being provided in a restaurant or a cafeteria with an extensive menu of prepared foods.
- (6) Except for food prepared by a for-profit entity, an Indiana nonprofit organization that:
- (A) is organized for civic, fraternal, veterans, or charitable purposes;
- (B) is exempt from taxation under Section 501 of the Internal Revenue Code; and
- (C) offers food for sale to the final consumer at an event held for the benefit of the organization;
- if the events conducted by the organization take place for not more than fifteen (15) days in a calendar year.
- (7) An individual vendor of a farmer's market or roadside stand if the individual meets the requirements of IC 16-42-5-29.

*As added by P.L.2-1993, SEC.1. Amended by P.L.266-2001, SEC.4; P.L.100-2007, SEC.1; P.L.3-2008, SEC.105; P.L.1-2009, SEC.115; P.L.86-2009, SEC.1.*

## **IC 16-18-2-138**

### **Food handling**

Sec. 138. "Food handling", for purposes of IC 16-42-5 and IC 16-42-5.2, means producing, processing, handling, preparing, manufacturing, packing, storing, selling, distributing, or transporting of food.

*As added by P.L.2-1993, SEC.1. Amended by P.L.266-2001, SEC.5.*

## **IC 16-18-2-138.2**

### **Food handling machinery**

Sec. 138.2. "Food handling machinery", for purposes of IC 16-42-5, has the meaning set forth in IC 16-42-5-2.3.

*As added by P.L.266-2001, SEC.6.*

## **IC 16-18-2-138.3**

### **Food handler**

Sec. 138.3. "Food handler", for purposes of IC 16-42-5.2, has the meaning set forth in IC 16-42-5.2-5.

*As added by P.L.266-2001, SEC.7.*

## **IC 16-18-2-138.5**

### **Food instrument**

Sec. 138.5. "Food instrument", for purposes of IC 16-35-1.5, has the meaning set forth in IC 16-35-1.5-1.

*As added by P.L.2-1993, SEC.1.*

## **IC 16-18-2-139**

**Food service establishment**

Sec. 139. "Food service establishment", for purposes of IC 16-31-9, has the meaning set forth in IC 16-31-9-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-139.5****Forensic medical exam**

Sec. 139.5. "Forensic medical exam", for purposes of IC 16-21-8, means the following:

- (1) Appropriate procedures for acquiring evidence that may be used in a criminal proceeding against a person charged with a sex crime.
- (2) Suturing and care of wounds that stem directly from the sex crime, including anesthesia and prescribed medication.

*As added by P.L.121-2006, SEC.21.*

**IC 16-18-2-140****Foundation support**

Sec. 140. "Foundation support", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-141****Repealed**

*(Repealed by P.L.28-2009, SEC.16.)*

**IC 16-18-2-142****Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

**IC 16-18-2-143****Fund**

Sec. 143. (a) "Fund", for purposes of IC 16-26-2, has the meaning set forth in IC 16-26-2-2.

(b) "Fund", for purposes of IC 16-31-8.5, has the meaning set forth in IC 16-31-8.5-2.

(c) "Fund", for purposes of IC 16-41-39.4, refers to the childhood lead poisoning prevention fund established by IC 16-41-39.4-3.1.

(d) "Fund", for purposes of IC 16-41-39.8, refers to the lead trust fund established by IC 16-41-39.8-7.

(e) "Fund", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-3.

(f) "Fund", for purposes of IC 16-46-12, has the meaning set forth in IC 16-46-12-1.

(g) "Fund", for purposes of IC 16-41-42.2, has the meaning set forth in IC 16-41-42.2-2.

(h) "Fund", for purposes of IC 16-35-8, has the meaning set forth in IC 16-35-8-2.

*As added by P.L.2-1993, SEC.1. Amended by P.L.14-2000, SEC.43; P.L.81-2002, SEC.1; P.L.205-2003, SEC.16; P.L.234-2007, SEC.45;*

*P.L.3-2008, SEC.106; P.L.102-2008, SEC.5; P.L.57-2009, SEC.10; P.L.1-2010, SEC.69.*

**IC 16-18-2-144**

**Gasoline**

Sec. 144. "Gasoline", for purposes of IC 16-44-2, has the meaning set forth in IC 16-44-2-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-145**

**General hospital**

Sec. 145. "General hospital", for the purposes of IC 16-22-9, has the meaning set forth in IC 16-22-9-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-146**

**General hospital services**

Sec. 146. "General hospital services", for purposes of IC 16-22-9 has the meaning set forth in IC 16-22-9-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-147**

**General license**

Sec. 147. "General license", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-6.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-148**

**Generically equivalent drug product**

Sec. 148. "Generically equivalent drug product", for purposes of IC 16-42-22, has the meaning set forth in IC 16-42-22-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-148.5**

**Gift**

Sec. 148.5. "Gift", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-8.

*As added by P.L.2-2007, SEC.185.*

**IC 16-18-2-149**

**Governing board**

Sec. 149. "Governing board" means the board of trustees, governing board, board of directors, or other body responsible for governing a hospital.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-150**

**Governing body**

Sec. 150. (a) "Governing body", for purposes of IC 16-22-7, has the meaning set forth in IC 16-22-7-2.

(b) "Governing body", for purposes of IC 16-41-22, has the meaning set forth in IC 16-41-22-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.152-2005, SEC.1; P.L.156-2011, SEC.7; P.L.197-2011, SEC.55.*

#### **IC 16-18-2-150.4**

##### **Government sponsored indigent health care**

Sec. 150.4. "Government sponsored indigent health care", for purposes of IC 16-21-9, has the meaning set forth in IC 16-21-9-2.

*As added by P.L.94-1994, SEC.8.*

#### **IC 16-18-2-151**

##### **Governmental unit**

Sec. 151. "Governmental unit", for purposes of IC 16-28 and IC 16-29, means an agency, a bureau, or a commission.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-152**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-153**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

#### **IC 16-18-2-153.5**

##### **Nurse aide**

Sec. 153.5. "Nurse aide", for purposes of IC 16-28-13, has the meaning set forth in IC 16-28-13-1.

*As added by P.L.152-1995, SEC.15.*

#### **IC 16-18-2-154**

##### **Gross patient revenue**

Sec. 154. "Gross patient revenue", for purposes of IC 16-21-6, has the meaning set forth in IC 16-21-6-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-155**

##### **Guest**

Sec. 155. "Guest", for purposes of IC 16-41-31, has the meaning set forth in IC 16-41-31-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-156**

##### **Guest room**

Sec. 156. "Guest room", for purposes of IC 16-41-31, has the meaning set forth in IC 16-41-31-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-157**

**Hair dye**

Sec. 157. "Hair dye", for purposes of IC 16-42-4, has the meaning set forth in IC 16-42-4-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-158****Repealed**

*(Repealed by P.L.23-1993, SEC.165.)*

**IC 16-18-2-159****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-159.1****Health benefit plan**

Sec. 159.1. "Health benefit plan", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-2.

*As added by P.L.50-2004, SEC.3.*

**IC 16-18-2-160****Health care**

Sec. 160. "Health care", for purposes of IC 16-36-1, has the meaning set forth in IC 16-36-1-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-160.5****Health care entity**

Sec. 160.5. "Health care entity", for purposes of IC 16-41-42.1, has the meaning set forth in IC 16-41-42.1-1.

*As added by P.L.193-2007, SEC.1. Amended by P.L.3-2008, SEC.107.*

**IC 16-18-2-161****Health care facility**

Sec. 161. (a) "Health care facility" includes:

- (1) hospitals licensed under IC 16-21-2, private mental health institutions licensed under IC 12-25, and tuberculosis hospitals established under IC 16-11-1 (before its repeal);
- (2) health facilities licensed under IC 16-28; and
- (3) rehabilitation facilities and kidney disease treatment centers.

(b) "Health care facility", for purposes of IC 16-28-13, has the meaning set forth in IC 16-28-13-0.5.

*As added by P.L.2-1993, SEC.1. Amended by P.L.108-1999, SEC.1; P.L.101-2007, SEC.2; P.L.42-2011, SEC.36.*

**IC 16-18-2-161.5****Health care interpreter**

Sec. 161.5. "Health care interpreter", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-2.

*As added by P.L.61-2004, SEC.2.*



**IC 16-18-2-162****Health care professional**

Sec. 162. (a) "Health care professional", for purposes of IC 16-27-1 and IC 16-27-4, has the meaning set forth in IC 16-27-1-1.

(b) "Health care professional", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.212-2005, SEC.5.*

**IC 16-18-2-163****Health care provider**

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 advanced emergency medical technician, 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 governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community mental retardation center, community health center, or migrant health center.

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

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

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

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

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

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

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

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does

not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-36-5 and IC 16-36-6, means an individual licensed or authorized by this state to provide health care or professional services as:

- (1) a licensed physician;
- (2) a registered nurse;
- (3) a licensed practical nurse;
- (4) an advanced practice nurse;
- (5) a certified nurse midwife;
- (6) a paramedic;
- (7) an emergency medical technician;
- (8) an advanced emergency medical technician; or
- (9) an emergency medical responder, as defined by section 109.8 of this chapter.

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

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

- (1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the 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), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, 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 blood bank, laboratory, community mental health center, community mental retardation center, community health center, or migrant health center.
- (3) A home health agency (as defined in IC 16-27-1-2).
- (4) A health maintenance organization (as defined in IC 27-13-1-19).
- (5) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).
- (6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:
  - (A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;
  - (B) is organized or registered under state law; and
  - (C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

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

(e) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).

*As added by P.L.2-1993, SEC.1. Amended by P.L.26-1994, SEC.7; P.L.188-1995, SEC.1; P.L.1-1998, SEC.116; P.L.148-1999, SEC.6; P.L.205-2003, SEC.17; P.L.95-2005, SEC.1; P.L.108-2007, SEC.2; P.L.77-2012, SEC.11; P.L.164-2013, SEC.3; P.L.232-2013, SEC.1.*

### **IC 16-18-2-163.3**

#### **Health care quality indicator data**

Sec. 163.3. "Health care quality indicator data", for purposes of IC 16-40-4, has the meaning set forth in IC 16-40-4-1.

*As added by P.L.95-2005, SEC.2.*

### **IC 16-18-2-163.5**

#### **Health care translator**

Sec. 163.5. "Health care translator", for purposes of IC 16-46-11.1, has the meaning set forth in IC 16-46-11.1-3.

*As added by P.L.61-2004, SEC.3.*

### **IC 16-18-2-164**

#### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

### **IC 16-18-2-164.6**

#### **Health coverage provider**

Sec. 164.6. "Health coverage provider", for purposes of IC 16-40-4, has the meaning set forth in IC 16-40-4-2.

*As added by P.L.95-2005, SEC.3.*

### **IC 16-18-2-165**

#### **Health data**

Sec. 165. "Health data", for purposes of IC 16-19-10, has the meaning set forth in IC 16-19-10-2.

*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-166**

#### **Health directive**

Sec. 166. "Health directive", for purposes of IC 16-41, means:

(1) a written statement; or

(2) in an emergency, an oral statement followed by a written statement within seventy-two (72) hours;

to a carrier issued by a designated health official under IC 16-41.

*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-167**

#### **Health facility**

Sec. 167. (a) "Health facility":

(1) except for purposes of IC 16-28-15, means a building, a

structure, an institution, or other place for the reception, accommodation, board, care, or treatment extending beyond a continuous twenty-four (24) hour period in a week of more than four (4) individuals who need or desire such services because of physical or mental illness, infirmity, or impairment; and (2) for purposes of IC 16-28-15, has the meaning set forth in IC 16-28-15-3.

(b) The term does not include the premises used for the reception, accommodation, board, care, or treatment in a household or family, for compensation, of a person related by blood to the head of the household or family (or to the spouse of the head of the household or family) within the degree of consanguinity of first cousins.

(c) The term does not include any of the following:

- (1) Hotels, motels, or mobile homes when used as such.
- (2) Hospitals or mental hospitals, except for that part of a hospital that provides long term care services and functions as a health facility, in which case that part of the hospital is licensed under IC 16-21-2, but in all other respects is subject to IC 16-28.
- (3) Hospices that furnish inpatient care and are licensed under IC 16-25-3.
- (4) Institutions operated by the federal government.
- (5) Foster family homes or day care centers.
- (6) Schools for individuals who are deaf or blind.
- (7) Day schools for individuals with mental retardation.
- (8) Day care centers.
- (9) Children's homes and child placement agencies.
- (10) Offices of practitioners of the healing arts.
- (11) Any institution in which health care services and private duty nursing services are provided that is listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc.
- (12) Industrial clinics providing only emergency medical services or first aid for employees.
- (13) A residential facility (as defined in IC 12-7-2-165).
- (14) Maternity homes.
- (15) Offices of Christian Science practitioners.

*As added by P.L.2-1993, SEC.1. Amended by P.L.61-1993, SEC.62; P.L.111-1996, SEC.2; P.L.58-2000, SEC.1; P.L.99-2007, SEC.153; P.L.229-2011, SEC.157.*

## **IC 16-18-2-168**

### **Health records**

Sec. 168. (a) "Health records", for purposes of IC 16-39, means written, electronic, or printed information possessed or maintained by a provider concerning any diagnosis, treatment, or prognosis of the patient, including such information possessed or maintained on microfiche, microfilm, or in a digital format. The term includes mental health records and alcohol and drug abuse records.

(b) For purposes of IC 16-39-5-3(e), the term includes information

that describes services provided to a patient and a provider's charges for services provided to a patient.

(c) The term does not include information concerning emergency ambulance services described in IC 16-31-2-11(d).

*As added by P.L.2-1993, SEC.1. Amended by P.L.231-1999, SEC.11; P.L.127-2001, SEC.1; P.L.44-2002, SEC.2; P.L.255-2003, SEC.45.*

#### **IC 16-18-2-169**

##### **Hemophilia**

Sec. 169. "Hemophilia", for purposes of IC 16-41-18, has the meaning set forth in IC 16-41-18-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-170**

##### **High risk activity**

Sec. 170. "High risk activity", for purposes of IC 16-41-7, has the meaning set forth in IC 16-41-7-1(b).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-171**

##### **HIV**

Sec. 171. "HIV" refers to the human immunodeficiency virus.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-172**

##### **Home**

Sec. 172. "Home", for purposes of IC 16-33-4, has the meaning set forth in IC 16-33-4-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-173**

##### **Home health agency**

Sec. 173. (a) "Home health agency", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-2.

(b) "Home health agency", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-174**

##### **Home health aide**

Sec. 174. (a) "Home health aide", for purposes of IC 16-27-1 and IC 12-27-1.5, means an individual who provides home health aide services.

(b) The term does not include the following:

- (1) A health care professional.
- (2) A volunteer who provides home health aide services without compensation.
- (3) An immediate member of the patient's family.

*As added by P.L.2-1993, SEC.1. Amended by P.L.110-1999, SEC.1.*

**IC 16-18-2-175****Home health aide services**

Sec. 175. "Home health aide services", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-176****Home health services**

Sec. 176. "Home health services", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-177****Repealed**

*(Repealed by P.L.256-1999, SEC.19.)*

**IC 16-18-2-177.1****Hospice**

Sec. 177.1. "Hospice", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-3.

*As added by P.L.256-1999, SEC.4.*

**IC 16-18-2-177.2****Hospice program**

Sec. 177.2. "Hospice program", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-4.

*As added by P.L.256-1999, SEC.5.*

**IC 16-18-2-177.3****Hospice program patient**

Sec. 177.3. "Hospice program patient", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-5.

*As added by P.L.256-1999, SEC.6.*

**IC 16-18-2-177.4****Hospice services**

Sec. 177.4. "Hospice services", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-6.

*As added by P.L.256-1999, SEC.7.*

**IC 16-18-2-178****Repealed**

*(Repealed by P.L.256-1999, SEC.19.)*

**IC 16-18-2-179****Hospital**

Sec. 179. (a) "Hospital", except as provided in subsections (b) through (g), means a hospital that is licensed under IC 16-21-2.

(b) "Hospital", for purposes of IC 16-21, means an institution, a place, a building, or an agency that holds out to the general public

that it is operated for hospital purposes and that it provides care, accommodations, facilities, and equipment, in connection with the services of a physician, to individuals who may need medical or surgical services. The term does not include the following:

- (1) Freestanding health facilities.
  - (2) Hospitals or institutions specifically intended to diagnose, care, and treat the following:
    - (A) Individuals with a mental illness (as defined in IC 12-7-2-117.6).
    - (B) Individuals with developmental disabilities (as defined in IC 12-7-2-61).
  - (3) Offices of physicians where patients are not regularly kept as bed patients.
  - (4) Convalescent homes, boarding homes, or homes for the aged.
- (c) "Hospital", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-5.
- (d) "Hospital", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-9.
- (e) "Hospital" or "tuberculosis hospital", for purposes of IC 16-24, means an institution or a facility for the treatment of individuals with tuberculosis.
- (f) "Hospital", for purposes of IC 16-34, means a hospital (as defined in subsection (b)) that:
- (1) is required to be licensed under IC 16-21-2; or
  - (2) is operated by an agency of the United States.
- (g) "Hospital", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-6.

*As added by P.L.2-1993, SEC.1. Amended by P.L.144-1996, SEC.1; P.L.162-1999, SEC.3; P.L.2-2007, SEC.186; P.L.99-2007, SEC.154.*

#### **IC 16-18-2-180**

##### **Hospital based health facility**

Sec. 180. "Hospital based health facility", for purposes of IC 16-21 and IC 16-28, means that part of a hospital that provides long term care services and functions as a health facility.

*As added by P.L.2-1993, SEC.1. Amended by P.L.152-1995, SEC.16.*

#### **IC 16-18-2-181**

##### **Hospital fund or hospital funds**

Sec. 181. "Hospital fund" or "hospital funds" means money, securities, real or personal property or interests, collected or received by or paid over, transferred, or conveyed to the hospital or the county for hospital purposes or hospital buildings.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-182**

##### **Hospital purposes**

Sec. 182. "Hospital purposes" means providing inpatient or outpatient diagnostic and treatment facilities and services generally

recognized as hospital services to the public, under the direction and supervision of the patient's attending physician, including, at the discretion of the governing board, the following:

- (1) Extended care facilities.
- (2) The provision of services to other health care entities.
- (3) Other health care services and facilities, including the provision of acute care in hospital inpatient units to patients with extended lengths of stay.

*As added by P.L.2-1993, SEC.1. Amended by P.L.162-1999, SEC.4.*

#### **IC 16-18-2-183**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-183.2**

##### **Human cells, tissues, or cellular or tissue based products**

Sec. 183.2. "Human cells, tissues, or cellular or tissue-based products" or "HCT/Ps", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-6.5.

*As added by P.L.213-2013, SEC.3.*

#### **IC 16-18-2-183.5**

##### **Human embryo**

Sec. 183.5. "Human embryo" means a human egg cell with a full genetic composition capable of differentiating and maturing into a complete human being.

*As added by P.L.126-2005, SEC.4.*

#### **IC 16-18-2-184**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-185**

##### **ICF/MR**

Sec. 185. "ICF/MR", for purposes of IC 16-29-4, has the meaning set forth in IC 16-29-4-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-186**

##### **Immediate container**

Sec. 186. "Immediate container", for purposes of IC 16-42-1 through IC 16-42-4, does not include package liners.

*As added by P.L.2-1993, SEC.1. Amended by P.L.87-1994, SEC.4; P.L.137-1996, SEC.60.*

#### **IC 16-18-2-187**

##### **Inclusive**

Sec. 187. "Inclusive", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-6.

*As added by P.L.2-1993, SEC.1.*



**IC 16-18-2-187.5****Indiana birth registration system**

Sec. 187.5. "Indiana birth registration system" or "IBRS", for purposes of IC 16-37, means the electronic system of recording births established under IC 16-37-1-3.1.

*As added by P.L.61-2009, SEC.1.*

**IC 16-18-2-187.6****Indiana death registration system**

Sec. 187.6. "Indiana death registration system" or "IDRS", for purposes of IC 16-37, means the electronic system of recording deaths established under IC 16-37-1-3.1.

*As added by P.L.61-2009, SEC.2.*

**IC 16-18-2-188****Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

**IC 16-18-2-188.1****Indiana University hospitals**

Sec. 188.1. "Indiana University hospitals", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-10.

*As added by P.L.2-2007, SEC.187.*

**IC 16-18-2-189****Infectious waste**

Sec. 189. "Infectious waste", for purposes of IC 16-41-16, has the meaning set forth in IC 16-41-16-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-190****Informed consent**

Sec. 190. "Informed consent", for purposes of IC 16-41-6, has the meaning set forth in IC 16-41-6-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-191****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-191.5****Interdisciplinary team**

Sec. 191.5. "Interdisciplinary team", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-7.

*As added by P.L.256-1999, SEC.8.*

**IC 16-18-2-192****Intrastate commerce**

Sec. 192. (a) "Intrastate commerce", for purposes of IC 16-42-1 through IC 16-42-4, means any and all commerce within Indiana and

subject to the jurisdiction of the state.

(b) The term includes the operation of a business or service establishment.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-193**

##### **Invasive medical care**

Sec. 193. "Invasive medical care", for purposes of IC 16-31, does not include the administration of a nonvisualized airway.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-194**

##### **Investigational or new drug**

Sec. 194. "Investigational or new drug", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-4.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-194.5**

##### **Isolation**

Sec. 194.5. "Isolation", for purposes of IC 16-41-9, means the physical separation, including confinement or restriction, of an individual or a group of individuals from the general public if the individual or group is infected with a dangerous communicable disease (as described in IC 16-18-2-91 and 410 IAC 1-2.3-47), in order to prevent or limit the transmission of the disease to an uninfected individual.

*As added by P.L.138-2006, SEC.1.*

#### **IC 16-18-2-195**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-196**

##### **Kerosene**

Sec. 196. "Kerosene", for purposes of IC 16-44-2, has the meaning set forth in IC 16-44-2-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-197**

##### **Label**

Sec. 197. "Label", for purposes of IC 16-42-1 through IC 16-42-4, means a display of written, printed, or graphic matter upon the immediate container of an article.

*As added by P.L.2-1993, SEC.1. Amended by P.L.87-1994, SEC.5; P.L.137-1996, SEC.61.*

#### **IC 16-18-2-198**

##### **Labeling**

Sec. 198. "Labeling", for purposes of IC 16-42-1 through IC 16-42-4, means all labels and other written, printed, or graphic

matter:

- (1) upon any article or any of the containers or wrappers; or
- (2) accompanying the article.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.62.*

#### **IC 16-18-2-198.5**

##### **Lead-based paint**

Sec. 198.5. "Lead-based paint", for purposes of IC 16-41-39.8, means paint or another surface coating that contains lead in an amount equal to or more than one (1) milligram per square centimeter, or in the amount of more than one-half percent (0.5%) by weight.

*As added by P.L.57-2009, SEC.11.*

#### **IC 16-18-2-198.7**

##### **Lead-based paint activities**

Sec. 198.7. (a) "Lead-based paint activities", for purposes of IC 16-41-39.4 and IC 16-41-39.8, means the inspection risk assessment and abatement of lead-based paint in target housing and child occupied facilities.

(b) The term includes project design and supervision.

*As added by P.L.102-2008, SEC.6. Amended by P.L.57-2009, SEC.12.*

#### **IC 16-18-2-199**

##### **Legend drug**

Sec. 199. "Legend drug", for purposes of IC 16-42, means a drug that is:

- (1) subject to 21 U.S.C. 353(b)(1); or
- (2) listed in the Prescription Drug Product List as:
  - (A) published in United States Department of Health and Human Services Approved Drug Products with Therapeutic Equivalence Evaluations, Tenth Edition, (1990); and
  - (B) revised in United State Department of Health and Human Services, Approved Drug Products with Therapeutic Equivalence Evaluations, Cumulative Supplement to the Tenth Edition, Number 10 (1990).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-200**

##### **Legislative body**

Sec. 200. "Legislative body" has the meaning set forth in IC 36-1-2-9.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-201**

##### **Lessee county**

Sec. 201. "Lessee county", for purposes of IC 16-22-6-27, has the meaning set forth in IC 16-22-6-27(b).

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-202****Licensed physician**

Sec. 202. "Licensed physician" means an individual who holds an unlimited license to practice medicine in Indiana under IC 25-22.5.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-203****"Life prolonging procedure"**

Sec. 203. (a) "Life prolonging procedure", for purposes of IC 16-36-4, has the meaning set forth in IC 16-36-4-1.

(b) "Life prolonging procedure", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.164-2013, SEC.4.*

**IC 16-18-2-204****Life prolonging procedures will declarant**

Sec. 204. "Life prolonging procedures will declarant", for purposes of IC 16-36-4, has the meaning set forth in IC 16-36-4-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-204.5****Limited criminal history**

Sec. 204.5. "Limited criminal history", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-1.5.

*As added by P.L.177-2009, SEC.2.*

**IC 16-18-2-205****Live birth or birth**

Sec. 205. "Live birth" or "birth", for purposes of IC 16-37, means the birth of a child who shows evidence of life after the child is entirely outside of the mother.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-206****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-207****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-208****Living will declarant**

Sec. 208. "Living will declarant", for purposes of IC 16-36-4, has the meaning set forth in IC 16-36-4-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-209****Local board**

Sec. 209. "Local board", for purposes of IC 16-41-27, has the

meaning set forth in IC 16-41-27-3.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-210**

##### **Local board of health**

Sec. 210. (a) "Local board of health", for purposes of IC 16-22-8, means a local board of health referred to in IC 16-20.

(b) "Local board of health", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-7.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-211**

##### **Local health department**

Sec. 211. "Local health department" means a department organized by a county or city executive with a board, a health officer, and an operational staff to provide health services to a county, city, or multiple county unit.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-212**

##### **Local health officer**

Sec. 212. "Local health officer", for purposes of IC 16-22 and IC 16-37, means a local health officer as referred to in IC 16-20.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-213**

##### **Locker**

Sec. 213. "Locker", for purposes of IC 16-42, means the individual sections or compartments of a capacity of not more than twenty-five (25) cubic feet in the locker room of a locker plant or branch locker plant.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-214**

##### **Locker plant**

Sec. 214. "Locker plant", for purposes of IC 16-42, means a location or an establishment in which space in individual lockers is rented to individuals for the storage of food at not more than forty-five (45) degrees Fahrenheit and that has at least one (1) of the following facilities:

- (1) A chill room.
- (2) Sharp freezing facilities.
- (3) Facilities for cutting, preparing, wrapping, and packaging meats and meat products, fruits, and vegetables.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-214.7**

##### **Low income**

Sec. 214.7. "Low income", for purposes of IC 16-41-39.4, means having not more than eighty percent (80%) of the median income

level of households in a particular county as determined annually by the federal Department of Housing and Urban Development.  
*As added by P.L.102-2008, SEC.7.*

#### **IC 16-18-2-215**

##### **Manufacture**

Sec. 215. "Manufacture", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-7.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-215.5**

##### **Manufactured home**

Sec. 215.5. "Manufactured home", for purposes of IC 16-41-27, has the meaning set forth in IC 22-12-1-16.  
*As added by P.L.87-2005, SEC.2.*

#### **IC 16-18-2-216**

##### **Manufacturer**

Sec. 216. (a) "Manufacturer", for purposes of IC 16-42-19 and IC 16-42-21, means a person who by compounding, cultivating, harvesting, mixing, or other process produces or prepares legend drugs. The term includes a person who:

- (1) prepares legend drugs in dosage forms by mixing, compounding, encapsulating, entableting, or other process; or
- (2) packages or repackages legend drugs.

(b) The term does not include pharmacists or practitioners (as defined in section 288(a) and 288(c) of this chapter) in the practice of their profession.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-217**

##### **Repealed**

*(Repealed by P.L.72-2001, SEC.11.)*

#### **IC 16-18-2-218**

##### **Maternal and child health clinic**

Sec. 218. "Maternal and child health clinic", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-5.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-219**

##### **Maternity home**

Sec. 219. (a) "Maternity home", for purposes of IC 16-26, means a public or private facility that provides food and temporary residence to at least one (1) pregnant woman during the pregnancy and not more than one hundred eighty (180) days after childbirth.

(b) The term does not include a hospital licensed under IC 16-21-2.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-220****Maternity home operator**

Sec. 220. "Maternity home operator", for purposes of IC 16-26, means a person that:

- (1) owns a maternity home;
- (2) is not more closely related to the pregnant woman or expected child than second cousins;
- (3) is not related to the pregnant woman or expected child as a stepparent, stepbrother, or stepsister; and
- (4) is not the guardian or custodian of the pregnant woman.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-221****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-222****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-223****Mechanical device**

Sec. 223. "Mechanical device", for purposes of IC 16-42-19-23, has the meaning set forth in IC 16-42-19-23(a).

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-223.4****Medical center**

Sec. 223.4. "Medical center", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-11.

*As added by P.L.2-2007, SEC.188.*

**IC 16-18-2-223.5****Medical emergency**

Sec. 223.5. "Medical emergency", for purposes of IC 16-34, means a condition that, on the basis of the attending physician's good faith clinical judgment, complicates the medical condition of a pregnant woman so that it necessitates the immediate termination of her pregnancy to avert her death or for which a delay would create serious risk of substantial and irreversible impairment of a major bodily function.

*As added by P.L.187-1995, SEC.2.*

**IC 16-18-2-223.6****Medical director**

Sec. 223.6. "Medical director", for purposes of IC 16-31-3.5, has the meaning set forth in IC 16-35-3.5-1.

*As added by P.L.205-2003, SEC.18.*

**IC 16-18-2-223.7**

**Medically contraindicated**

Sec. 223.7. "Medically contraindicated", for purposes of IC 16-28-14 and IC 16-28-14.5, means that a vaccine would be detrimental to an individual's health because of a medical condition of the individual.

*As added by P.L.97-1999, SEC.1. Amended by P.L.29-2009, SEC.1.*

**IC 16-18-2-224****Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

**IC 16-18-2-225****Member of the armed forces**

Sec. 225. "Member of the armed forces", for purposes of IC 16-33-4, has the meaning set forth in IC 16-33-4-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-225.8****Mental health provider**

Sec. 225.8. "Mental health provider", for purposes of IC 16-36-1.5, has the meaning set forth in IC 16-36-1.5-2.

*As added by P.L.145-1996, SEC.1. Amended by P.L.34-2001, SEC.6.*

**IC 16-18-2-226****Mental health records**

Sec. 226. "Mental health records", for purposes of IC 16-39, means recorded or unrecorded information concerning the diagnosis, treatment, or prognosis of a patient receiving mental health services or developmental disability training. The term does not include alcohol and drug abuse records.

*As added by P.L.2-1993, SEC.1. Amended by P.L.4-1997, SEC.2.*

**IC 16-18-2-227****Migratory temporary increase in population**

Sec. 227. "Migratory temporary increase in population", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-8.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-228****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-229****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-230****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*



**IC 16-18-2-230.5****Military service applicant**

Sec. 230.5. "Military service applicant", for purposes of IC 16-31-11, has the meaning set forth in IC 16-31-11-1.

*As added by P.L.16-2013, SEC.1; P.L.115-2013, SEC.1.*

**IC 16-18-2-231****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-232****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-233****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-234****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-235****Minor**

Sec. 235. "Minor", for purposes of IC 16-36, means an individual who is less than eighteen (18) years of age.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-236****Minority**

Sec. 236. (a) "Minority", for purposes of IC 16-19-14, has the meaning set forth in IC 16-19-14-2.

(b) "Minority", for purposes of IC 16-46-6, has the meaning set forth in IC 16-46-6-2.

*As added by P.L.2-1993, SEC.1. Amended by P.L.38-2010, SEC.2.*

**IC 16-18-2-237****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-237.5****Mobile camp**

Sec. 237.5. "Mobile camp", for purposes of IC 16-19-3, has the meaning set forth in IC 16-19-3-0.5.

*As added by P.L.83-2007, SEC.4.*

**IC 16-18-2-238****Mobile home**

Sec. 238. "Mobile home", for purposes of IC 16-41-27, has meaning set forth in IC 16-41-27-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-238.5**

**Mobile home community**

Sec. 238.5. "Mobile home community", for purposes of IC 16-41-27, has the meaning set forth in IC 16-41-27-5.

*As added by P.L.87-2005, SEC.3.*

**IC 16-18-2-239**

**Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-240**

**Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-240.5**

**Repealed**

*(Repealed by P.L.42-2011, SEC.87.)*

**IC 16-18-2-241**

**Motor fuel**

Sec. 241. "Motor fuel", for purposes of IC 16-44-3, has the meaning set forth in IC 16-44-3-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-242**

**Motor fuel outlet**

Sec. 242. "Motor fuel outlet", for purposes of IC 16-44-3, has the meaning set forth in IC 16-44-3-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-242.9**

**MTBE**

Sec. 242.9. "MTBE", for purposes of IC 16-44-2, has the meaning set forth in IC 16-44-2-2.4.

*As added by P.L.26-2002, SEC.1.*

**IC 16-18-2-243**

**Municipal corporation**

Sec. 243. "Municipal corporation", for purposes of IC 16-35-1, has the meaning set forth in IC 16-35-1-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-244**

**Narrative report**

Sec. 244. "Narrative report", for purposes of IC 16-20-8, has the meaning set forth in IC 16-20-8-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-244.5****National criminal history background check**

Sec. 244.5. "National criminal history background check", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-2.1.  
*As added by P.L.197-2007, SEC.4.*

**IC 16-18-2-245****Net operating revenue**

Sec. 245. "Net operating revenue", for purposes of IC 16-22-7, has the meaning set forth in IC 16-22-7-3.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-246****Net patient revenue**

Sec. 246. "Net patient revenue", for purposes of IC 16-21-6, has the meaning set forth in IC 16-21-6-2.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-247****Net revenues**

Sec. 247. "Net revenues", for purposes of IC 16-22-6, means the revenues of the hospital remaining after provisions for reasonable expenses of operation, repair, replacements, and maintenance of the hospital.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-248****New**

Sec. 248. "New", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-8.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-249****New drug**

Sec. 249. "New drug", for purposes of IC 16-42-1 through IC 16-42-4, means:

- (1) any drug whose composition is such that the drug is not generally recognized among experts, who are qualified by scientific training and experience to evaluate the safety of drugs, as safe for use under the conditions prescribed, recommended, or suggested in the labeling of the drug; or
- (2) any drug whose composition is such that the drug, as a result of investigations to determine the safety for use under such conditions, has become so recognized, but which has not, otherwise than in investigations, been used to a material extent or for a material time under such conditions.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-250****Noncompliant behavior**

Sec. 250. "Noncompliant behavior", for purposes of IC 16-41, means behavior of a carrier that is not in compliance with a health directive.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-251**

##### **Nonprofit hospital**

Sec. 251. "Nonprofit hospital", for purposes of IC 16-21-9, has the meaning set forth in IC 16-21-9-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.94-1994, SEC.9; P.L.144-1996, SEC.2.*

#### **IC 16-18-2-252**

##### **Nonprofit hospital corporation**

Sec. 252. "Nonprofit hospital corporation" means a corporation that:

- (1) is organized and doing business under IC 23-17;
- (2) is authorized by the corporation's charter to and does own and operate a hospital;
- (3) is licensed under IC 16-21; and
- (4) operates the hospital as a charitable or benevolent institution making the hospital's services available to persons unable to pay to the extent of the hospital's financial ability to do so.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-253**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

#### **IC 16-18-2-253.5**

##### **Nontransporting emergency medical services vehicle**

Sec. 253.5. "Nontransporting emergency medical services vehicle", for purposes of IC 16-31-3, has the meaning set forth in IC 16-31-3-0.5.

*As added by P.L.186-1995, SEC.5.*

#### **IC 16-18-2-253.7**

##### **Nursing facility**

Sec. 253.7. "Nursing facility", for purposes of IC 16-28-15, has the meaning set forth in IC 16-28-15-4.

*As added by P.L.229-2011, SEC.158.*

#### **IC 16-18-2-254**

##### **Oath**

Sec. 254. "Oath" includes affirmation.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-254.2**

##### **Objective scientific information**

Sec. 254.2. "Objective scientific information", for purposes of

IC 16-34, means data that have been reasonably derived from scientific literature and verified or supported by research in compliance with scientific methods.

*As added by P.L.193-2011, SEC.3.*

#### **IC 16-18-2-254.5**

##### **Office**

Sec. 254.5. (a) "Office", for purposes of IC 16-19-13, refers to the office of women's health established by IC 16-19-13-2.

(b) "Office", for purposes of IC 16-19-14, refers to the office of minority health established by IC 16-19-14-4.

(c) "Office", for purposes of IC 16-28-15, has the meaning set forth in IC 16-28-15-5.

*As added by P.L.52-1999, SEC.2. Amended by P.L.38-2010, SEC.3; P.L.229-2011, SEC.159.*

#### **IC 16-18-2-255**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-256**

##### **Official compendium**

Sec. 256. "Official compendium", for purposes of IC 16-42-1 through IC 16-42-4, means the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or any supplement to any of the publications.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-257**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-258**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-259**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-260**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-261**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-262**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-263**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-263.5**

##### **Onsite residential sewage discharging disposal system**

Sec. 263.5. "Onsite residential sewage discharging disposal system", for purposes of IC 16-19-3, means a sewage disposal system that:

- (1) is located on a site with and serves a one (1) or two (2) family residence; and
- (2) discharges effluent offsite.

*As added by P.L.172-2002, SEC.5.*

#### **IC 16-18-2-264**

##### **Operator**

Sec. 264. "Operator", for purposes of IC 16-41-31, has the meaning set forth in IC 16-41-31-4.

*As added by P.L.2-1993, SEC.1. Amended by P.L.144-1996, SEC.4; P.L.104-2003, SEC.2.*

#### **IC 16-18-2-264.5**

##### **Other unlicensed employee**

Sec. 264.5. "Other unlicensed employee", for purposes of IC 16-28-13, has the meaning set forth in IC 16-28-13-2.

*As added by P.L.152-1995, SEC.17.*

#### **IC 16-18-2-264.7**

##### **Out of hospital**

Sec. 264.7. "Out of hospital", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-5.

*As added by P.L.148-1999, SEC.7.*

#### **IC 16-18-2-264.8**

##### **Out of hospital DNR declaration and order**

Sec. 264.8. "Out of hospital DNR declaration and order", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-6.

*As added by P.L.148-1999, SEC.8.*

#### **IC 16-18-2-264.9**

##### **Out of hospital DNR identification device**

Sec. 264.9. "Out of hospital DNR identification device", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-7.

*As added by P.L.148-1999, SEC.9.*

#### **IC 16-18-2-265**

##### **Package**

Sec. 265. (a) "Package", for purposes of IC 16-42-1 through

IC 16-42-4, means a container or wrapping in which a consumer commodity is enclosed for use in the delivery or display of the consumer commodity to retail purchasers.

(b) The term does not include the following:

(1) Shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors or to wholesale or retail distributors of consumer commodities.

(2) Shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if the containers and wrappings bear no printed matter pertaining to any particular commodity.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.63.*

### **IC 16-18-2-266**

#### **Paramedic**

Sec. 266. "Paramedic", for purposes of IC 16-31, means an individual who:

(1) is:

(A) affiliated with a certified paramedic organization;

(B) employed by a sponsoring hospital approved by the commission; or

(C) employed by a supervising hospital with a contract for inservice education with a sponsoring hospital approved by the commission;

(2) has completed a prescribed course in advanced life support; and

(3) has been licensed by the Indiana emergency medical services commission.

*As added by P.L.2-1993, SEC.1. Amended by P.L.77-2012, SEC.12.*

### **IC 16-18-2-266.5**

#### **Parent personal services agency**

Sec. 266.5. "Parent personal services agency", for purposes of IC 16-27-4, has the meaning set forth in IC 16-27-4-2.

*As added by P.L.212-2005, SEC.6.*

### **IC 16-18-2-267**

#### **Parental consent**

Sec. 267. "Parental consent", for purposes of IC 16-34, means the written consent of the parent or legal guardian of an unemancipated pregnant woman less than eighteen (18) years of age to the performance of an abortion on the minor pregnant woman.

*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-267.5**

#### **Partial birth abortion**

Sec. 267.5. "Partial birth abortion" means an abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery.

*As added by P.L.145-1997, SEC.1.*

**IC 16-18-2-268**

**Partnership responsibility**

Sec. 268. "Partnership responsibility", for purposes of IC 16-46-1, has the meaning set forth in IC 16-46-1-9.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-269**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-270**

**Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-271**

**Pathological waste**

Sec. 271. "Pathological waste", for purposes of IC 16-41-16, has the meaning set forth in IC 16-41-16-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-272**

**Patient**

Sec. 272. (a) "Patient", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-6.

(b) "Patient", for the purposes of IC 16-28 and IC 16-29, means an individual who has been accepted and assured care by a health facility.

(c) "Patient", for purposes of IC 16-36-1.5, has the meaning set forth in IC 16-36-1.5-3.

(d) "Patient", for purposes of IC 16-39, means an individual who has received health care services from a provider for the examination, treatment, diagnosis, or prevention of a physical or mental condition.

*As added by P.L.2-1993, SEC.1. Amended by P.L.145-1996, SEC.2.*

**IC 16-18-2-273**

**Repealed**

*(Repealed by P.L.87-2005, SEC.40.)*

**IC 16-18-2-274**

**Person**

Sec. 274. (a) "Person" means, except as provided in subsections (b), (c), and (d), an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, or a corporation.

(b) "Person", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-8.

(c) "Person", for purposes of IC 16-31, means an individual, a



partnership, a corporation, an association, a joint stock association, or a governmental entity other than an agency or instrumentality of the United States.

(d) "Person", for purposes of IC 16-42-10, has the meaning set forth in IC 16-42-10-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.256-1999, SEC.9.*

#### **IC 16-18-2-275**

##### **Person at risk**

Sec. 275. (a) "Person at risk", for purposes of IC 16-41-7-4, has the meaning set forth in IC 16-41-7-4(a).

(b) "Person at risk", for purposes of IC 16-41-7-1 and IC 16-41-7-3, has the meaning set forth in IC 16-41-7-1(c).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-276**

##### **Person in attendance at birth**

Sec. 276. "Person in attendance at birth", for purposes of IC 16-37-1 and IC 16-37-2, has the meaning set forth in IC 16-37-2-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.61-2009, SEC.3.*

#### **IC 16-18-2-277**

##### **Person in charge of interment**

Sec. 277. "Person in charge of interment", for purposes of IC 16-37-1 and IC 16-37-3, has the meaning set forth in IC 16-37-3-2.

*As added by P.L.2-1993, SEC.1. Amended by P.L.61-2009, SEC.4.*

#### **IC 16-18-2-277.5**

##### **Person with a disability**

Sec. 277.5. "Person with a disability", for purposes of IC 16-32, IC 16-33, and IC 16-40-1, means an individual who, by reason of physical, mental, or emotional defect or infirmity (whether congenital or acquired by accident, injury, or disease) is or may subsequently be totally or partially prevented from achieving the fullest attainable physical, social, economic, mental, and vocational participation in the normal process of living.

*As added by P.L.23-1993, SEC.58.*

#### **IC 16-18-2-277.6**

##### **Personal representative**

Sec. 277.6. "Personal representative", for purposes of IC 16-27-4, has the meaning set forth in IC 16-27-4-3.

*As added by P.L.212-2005, SEC.7.*

#### **IC 16-18-2-277.7**

##### **Personal services**

Sec. 277.7. "Personal services", for purposes of IC 16-27-2 and IC 16-27-4, has the meaning set forth in IC 16-27-4-4.

*As added by P.L.212-2005, SEC.8.*

#### **IC 16-18-2-277.8**

##### **Personal services agency**

Sec. 277.8. "Personal services agency", for purposes of IC 16-27-4, has the meaning set forth in IC 16-27-4-5.

*As added by P.L.212-2005, SEC.9.*

#### **IC 16-18-2-278**

##### **Pest**

Sec. 278. "Pest", for purposes of IC 16-41-33, has the meaning set forth in IC 16-41-33-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-279**

##### **Pesticide chemical**

Sec. 279. "Pesticide chemical", for purposes of IC 16-42-1 through IC 16-42-4, means a substance:

- (1) that alone, in chemical combination, or in formulation with at least one (1) other substance is an "economic poison" within the meaning of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 135-135K); and
- (2) that is used in the production, storage, or transportation of raw agricultural commodities.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.64.*

#### **IC 16-18-2-280**

##### **Petroleum products**

Sec. 280. "Petroleum products", for purposes of IC 16-44-2, has the meaning set forth in IC 16-44-2-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-281**

##### **Pharmacist**

Sec. 281. "Pharmacist" means a person licensed by law to practice pharmacy in Indiana.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-282**

##### **Physician**

Sec. 282. (a) "Physician", except as provided in subsections (b) and (c), means a licensed physician (as defined in section 202 of this chapter).

(b) "Physician", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-7.

(c) "Physician", for purposes of IC 16-37-1-3.1 and IC 16-37-3-5, means an individual who:

- (1) was the physician last in attendance (as defined in section 282.2 of this chapter); or
- (2) is licensed under IC 25-22.5.

(d) "Physician", for purposes of IC 16-48-1, is subject to IC 16-48-1-2.

*As added by P.L.2-1993, SEC.1. Amended by P.L.156-2011, SEC.8; P.L.6-2012, SEC.111.*

#### **IC 16-18-2-282.2**

##### **Physician last in attendance**

Sec. 282.2. (a) "Physician last in attendance" means the individual who pronounced the time of death for a deceased individual.

(b) For purposes of IC 16-37-3, the term includes an individual who holds any medical license issued under IC 25-22.5.

*As added by P.L.156-2011, SEC.9.*

#### **IC 16-18-2-283**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

#### **IC 16-18-2-284**

##### **Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

#### **IC 16-18-2-285**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-286**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-287**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-287.2**

##### **"POST form"**

Sec. 287.2. "POST form", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-4.

*As added by P.L.164-2013, SEC.5.*

#### **IC 16-18-2-287.5**

##### **Postfertilization age**

Sec. 287.5. "Postfertilization age", for purposes of IC 16-34, means the age of the fetus calculated from the date of the fertilization of the ovum.

*As added by P.L.193-2011, SEC.4.*

#### **IC 16-18-2-287.7**

##### **Post-organ transplant program**

Sec. 287.7. "Post-organ transplant program", for purposes of IC 16-41-19.5, has the meaning set forth in IC 16-41-19.5-1.

*As added by P.L.27-1999, SEC.1.*

#### **IC 16-18-2-287.8**

##### **Potentially hazardous food product**

Sec. 287.8. (a) "Potentially hazardous food product", for purposes of IC 16-42-5-29, means a food that is natural or synthetic and requires temperature control because it is in a form capable of supporting any of the following:

- (1) The rapid and progressive growth of infectious or toxigenic microorganisms.
- (2) The growth and toxin production of *Clostridium botulinum*.
- (3) In raw shell eggs, the growth of *Salmonella enteritidis*.
- (b) The term includes the following:
  - (1) A food of animal origin that is raw or heat treated.
  - (2) A food of plant origin that is heat treated or consists of raw seed sprouts.
  - (3) Cut melons.
  - (4) Garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth described in subsection (a).

*As added by P.L.86-2009, SEC.2.*

#### **IC 16-18-2-288**

##### **Practitioner**

Sec. 288. (a) "Practitioner", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-5.

(b) "Practitioner", for purposes of IC 16-41-14, has the meaning set forth in IC 16-41-14-4.

(c) "Practitioner", for purposes of IC 16-42-21, has the meaning set forth in IC 16-42-21-3.

(d) "Practitioner", for purposes of IC 16-42-22, has the meaning set forth in IC 16-42-22-4.5.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-289**

##### **Precursor**

Sec. 289. "Precursor", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-6.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-290**

##### **Pregnant woman**

Sec. 290. "Pregnant woman", for purposes of IC 16-26, means an individual of any age who:

- (1) has been a resident of Indiana continuously for at least sixty (60) days before her pregnancy;
- (2) has verified her pregnancy and intends to carry her pregnancy to term or has given birth to a child; and
- (3) is in need of assistance and temporary residence.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-290.5****Repealed**

*(Repealed by P.L.237-2003, SEC.18.)*

**IC 16-18-2-291****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-292****Prescription**

Sec. 292. "Prescription", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-7.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-292.5****Primary caregiver**

Sec. 292.5. "Primary caregiver", for purposes of IC 16-39-4-2, has the meaning set forth in IC 16-39-4-2(a).

*As added by P.L.189-1995, SEC.1.*

**IC 16-18-2-292.7****Primary prevention**

Sec. 292.7. "Primary prevention", for purposes of IC 16-41-39.4, means the removal or remediation, including the use of interim controls, of lead hazards before lead poisoning of an individual occurs.

*As added by P.L.102-2008, SEC.8.*

**IC 16-18-2-293****Principal display panel**

Sec. 293. "Principal display panel", for purposes of IC 16-42-1 through IC 16-42-4, means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-293.5****Probable gestational age of the fetus**

Sec. 293.5. "Probable gestational age of the fetus", for purposes of IC 16-34, means what, in the judgment of the attending physician, will with reasonable probability be the gestational age of the fetus at the time an abortion is planned to be performed.

*As added by P.L.187-1995, SEC.3.*

**IC 16-18-2-294****Production facility**

Sec. 294. "Production facility", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-7.

*As added by P.L.2-1993, SEC.1.*

## **IC 16-18-2-294.5**

### **Program**

Sec. 294.5. (a) "Program", for purposes of IC 16-40-4, has the meaning set forth in IC 16-40-4-3.

(b) "Program", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-3.

*As added by P.L.50-2004, SEC.4. Amended by P.L.95-2005, SEC.4.*

## **IC 16-18-2-295**

### **Provider**

Sec. 295. (a) "Provider", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.5.

(b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the following:

(1) An individual (other than an individual who is an employee or a contractor of a hospital, a facility, or an agency described in subdivision (2) or (3)) who is licensed, registered, or certified as a health care professional, including the following:

- (A) A physician.
- (B) A psychotherapist.
- (C) A dentist.
- (D) A registered nurse.
- (E) A licensed practical nurse.
- (F) An optometrist.
- (G) A podiatrist.
- (H) A chiropractor.
- (I) A physical therapist.
- (J) A psychologist.
- (K) An audiologist.
- (L) A speech-language pathologist.
- (M) A dietitian.
- (N) An occupational therapist.
- (O) A respiratory therapist.
- (P) A pharmacist.
- (Q) A sexual assault nurse examiner.

(2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or described in IC 12-24-1 or IC 12-29.

(3) A health facility licensed under IC 16-28-2.

(4) A home health agency licensed under IC 16-27-1.

(5) An employer of a certified emergency medical technician, a certified advanced emergency medical technician, or a licensed paramedic.

(6) The state department or a local health department or an employee, agent, designee, or contractor of the state department or local health department.

(c) "Provider", for purposes of IC 16-39-7-1, has the meaning set forth in IC 16-39-7-1(a).

(d) "Provider", for purposes of IC 16-48-1, has the meaning set forth in IC 16-48-1-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.188-1995, SEC.2; P.L.20-1998, SEC.1; P.L.231-1999, SEC.12; P.L.256-1999, SEC.10; P.L.205-2003, SEC.19; P.L.90-2005, SEC.2; P.L.41-2007, SEC.4; P.L.6-2012, SEC.112; P.L.77-2012, SEC.13; P.L.141-2012, SEC.6.*

#### **IC 16-18-2-296**

##### **Provider organization**

Sec. 296. "Provider organization", for purposes of IC 16-31, means an ambulance service provider or other emergency care organization certified by the Indiana emergency medical services commission to provide emergency medical services.

*As added by P.L.2-1993, SEC.1. Amended by P.L.186-1995, SEC.6.*

#### **IC 16-18-2-296.3**

##### **Psychiatric advance directive**

Sec. 296.3. "Psychiatric advance directive", for purposes of IC 16-36-1.5 and IC 16-36-1.7, has the meaning set forth in IC 16-36-1.7-1.

*As added by P.L.16-2004, SEC.1.*

#### **IC 16-18-2-297**

##### **Public accommodation**

Sec. 297. "Public accommodation", for purposes of IC 16-32-3-2, has the meaning set forth in IC 16-32-3-2(a).

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-298**

##### **Repealed**

*(Repealed by P.L.156-2011, SEC.41.)*

#### **IC 16-18-2-298.5**

##### **Public health authority**

Sec. 298.5. "Public health authority", for purposes of IC 16-22-8 and IC 16-41-9, means:

- (1) the state health commissioner of the state department;
- (2) a deputy or an assistant state health commissioner appointed by the state health commissioner, or an agent expressly authorized by the state health commissioner;
- (3) the local health officer; or
- (4) a health and hospital corporation established under IC 16-22-8-6.

*As added by P.L.138-2006, SEC.2.*

#### **IC 16-18-2-299**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

#### **IC 16-18-2-300**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

**IC 16-18-2-301****Publish, published, or cause to be published**

Sec. 301. "Publish" or "published" or "cause to be published", for purposes of IC 16-22, means publication of notice in a newspaper or newspapers in accordance with IC 5-3-1, unless otherwise specified.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-302****Qualified patient**

Sec. 302. "Qualified patient", for purposes of IC 16-36-4, has the meaning set forth in IC 16-36-4-4.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-302.3****"Qualified person"**

Sec. 302.3. (a) "Qualified person", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-8.

(b) "Qualified person", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-5.

*As added by P.L.148-1999, SEC.10. Amended by P.L.164-2013, SEC.6.*

**IC 16-18-2-302.6****Quarantine**

Sec. 302.6. "Quarantine", for purposes of IC 16-41-9, means the physical separation, including confinement or restriction of movement, of an individual or a group of individuals who have been exposed to a dangerous communicable disease (as described in IC 16-18-2-91 and 410 IAC 1-2.3-47), during the disease's period of communicability, in order to prevent or limit the transmission of the disease to an uninfected individual.

*As added by P.L.138-2006, SEC.3.*

**IC 16-18-2-303****Radiation**

Sec. 303. "Radiation", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-8.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-304****Radiation machine**

Sec. 304. "Radiation machine", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-9.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-305****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*



**IC 16-18-2-306****Radioactive material**

Sec. 306. "Radioactive material", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-10.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-306.5****Radon gas**

Sec. 306.5. "Radon gas", for purposes of IC 16-41-38, has the meaning set forth in IC 16-41-38-1.

*As added by P.L.1-1996, SEC.72.*

**IC 16-18-2-307****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-307.5****Repealed**

*(Repealed by P.L.126-2006, SEC.4.)*

**IC 16-18-2-308****Real property or land**

Sec. 308. "Real property" or "land" means improved or unimproved real estate or land and all of the fixtures, buildings, and improvements upon the real property or land.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-309****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-310****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-311****Record**

Sec. 311. "Record", for purposes of IC 16-21, means a health, medical, or business record, including records generated or stored electronically.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-312****Recording officer**

Sec. 312. "Recording officer" has the meaning set forth in IC 16-22-7-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-313****Reduction in license**

Sec. 313. "Reduction in license", for purposes of IC 16-28 and IC 16-29, means the reduction of the number of licensed beds of a health facility.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-314**

##### **Repealed**

*(Repealed by P.L.144-1996, SEC.15.)*

#### **IC 16-18-2-315**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-315.5**

##### **Repealed**

*(Repealed by P.L.3-2008, SEC.269.)*

#### **IC 16-18-2-315.8**

##### **Remediation**

Sec. 315.8. "Remediation" means actions that constitute:

- (1) abatement (as defined in IC 16-18-2-0.5); or
- (2) interim control (as defined in 24 CFR 35.110);

of a lead hazard.

*As added by P.L.102-2008, SEC.9. Amended by P.L.57-2009, SEC.13.*

#### **IC 16-18-2-316**

##### **Renovate**

Sec. 316. "Renovate", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-9.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-316.5**

##### **Replacement bed**

Sec. 316.5. "Replacement bed", for purposes of IC 16-28-16, has the meaning set forth in IC 16-28-16-3.

*As added by P.L.229-2011, SEC.160.*

#### **IC 16-18-2-317**

##### **"Representative"**

Sec. 317. (a) "Representative", for purposes of IC 16-36-1, has the meaning set forth in IC 16-36-1-2.

(b) "Representative", for purposes of IC 16-36-5, has the meaning set forth in IC 16-36-5-9.

(c) "Representative", for purposes of IC 16-36-6, has the meaning set forth in IC 16-36-6-6.

*As added by P.L.2-1993, SEC.1. Amended by P.L.148-1999, SEC.11; P.L.164-2013, SEC.7.*

#### **IC 16-18-2-318**

**Responsible head**

Sec. 318. "Responsible head", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-20.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-318.1****Repealed**

*(Repealed by P.L.156-2011, SEC.41.)*

**IC 16-18-2-319****Retailer**

Sec. 319. "Retailer", for purposes of IC 16-42-11, has the meaning set forth in IC 16-42-11-1.1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.28-2009, SEC.2.*

**IC 16-18-2-320****Rolls**

Sec. 320. "Rolls", for purposes of IC 16-42-10, has the meaning set forth in IC 16-42-10-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-321****Sale**

Sec. 321. (a) "Sale", for purposes of IC 16-42-1 through IC 16-42-4, includes the following:

- (1) A sale.
- (2) Manufacturing, processing, transporting, handling, packing, canning, bottling, or any other production, preparation, or putting up.
- (3) Exposure, offer, or any other proffer.
- (4) Holding, storing, or any other possession.
- (5) Dispensing, giving, delivering, serving, or any other supplying.
- (6) Applying, administering, or any other using.

(b) "Sale", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-8.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.65.*

**IC 16-18-2-322****Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

**IC 16-18-2-323****Repealed**

*(Repealed by P.L.69-1999, SEC.12.)*

**IC 16-18-2-323.1****Repealed**

*(Repealed by P.L.141-2012, SEC.7.)*

**IC 16-18-2-323.4****Repealed**

*(Repealed by P.L.141-2012, SEC.8.)*

**IC 16-18-2-324****Screening test**

Sec. 324. "Screening test", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-8.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-324.7****Second opinion**

Sec. 324.7. "Second opinion", for purposes of IC 16-48-1, has the meaning set forth in IC 16-48-1-4.

*As added by P.L.6-2012, SEC.113.*

**IC 16-18-2-325****Secondhand**

Sec. 325. "Secondhand", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-10.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-326****Secure area**

Sec. 326. "Secure area", for purposes of IC 16-41-16, has the meaning set forth in IC 16-41-16-6.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-327****Sell**

Sec. 327. "Sell", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-11.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-328****Serious and present danger to the health of others**

Sec. 328. "Serious and present danger to the health of others", for purposes of IC 16-41-7 and IC 16-41-9, has the meaning set forth in IC 16-41-7-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-328.1****Services**

Sec. 328.1. "Services", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-2.2.

*As added by P.L.178-1993, SEC.1.*

**IC 16-18-2-328.2****Service animal**

Sec. 328.2. "Service animal", for purposes of IC 16-32-3, has the

meaning set forth in IC 16-32-3-1.5.  
*As added by P.L.1-2010, SEC.70.*

#### **IC 16-18-2-328.5**

##### **Shaken baby syndrome**

Sec. 328.5. "Shaken baby syndrome", for purposes of IC 16-41-40, has the meaning set forth in IC 16-41-40-2.  
*As added by P.L.51-1998, SEC.2.*

#### **IC 16-18-2-329**

##### **Sharp frozen**

Sec. 329. "Sharp frozen", for purposes of IC 16-42, means the freezing of food in a room or compartment in which the temperature is not more than zero (0) degrees Fahrenheit.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-330**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-331**

##### **Shortage area**

Sec. 331. "Shortage area", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-6.  
*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-331.8**

##### **Small employer**

Sec. 331.8. "Small employer", for purposes of IC 16-46-13 has the meaning set forth in IC 16-31-31.2-3.  
*As added by P.L.218-2007, SEC.43.*

#### **IC 16-18-2-331.9**

##### **Small house health facility**

Sec. 331.9. "Small house health facility" means a freestanding, self-contained comprehensive care health facility that has the following characteristics:

(1) Has at least ten (10) and not more than twelve (12) private resident rooms in one (1) structure that has the appearance of a residential dwelling, that is not more than eight thousand (8,000) square feet, and that includes the following:

(A) A fully accessible private bathroom for each resident room that includes a toilet, sink, and roll in shower with a seat.

(B) A common area living room seating area.

(C) An open full-sized kitchen where one hundred percent (100%) of the resident's meals are prepared.

(D) A dining room that has one (1) table large enough to seat each resident of the dwelling and at least two (2) staff members.

- (E) Access to natural light in each habitable space.
- (2) Does not include the following characteristics of an institutional setting:
  - (A) A nurse's station.
  - (B) Room numbering or other signs that would not be found in a residential setting.
- (3) Provides self-directed care.

*As added by P.L.229-2011, SEC.161. Amended by P.L.6-2012, SEC.114.*

#### **IC 16-18-2-332**

##### **Repealed**

*(Repealed by P.L.156-2011, SEC.41.)*

#### **IC 16-18-2-333**

##### **Solid waste**

Sec. 333. "Solid waste", for purposes of IC 16-42-18, has the meaning set forth in IC 16-42-18-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-334**

##### **Source material**

Sec. 334. "Source material", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-11.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-335**

##### **Special nuclear material**

Sec. 335. "Special nuclear material", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-12.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-336**

##### **Specific license**

Sec. 336. "Specific license", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-13.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-337**

##### **Sponsoring or supervising hospital**

Sec. 337. "Sponsoring" or "supervising hospital", for purposes of IC 16-31, means a hospital:

- (1) that is licensed under IC 16-21-2 or under the licensing law of another state; and
- (2) that has been certified by the emergency medical services commission to sponsor or supervise paramedics, advanced emergency medical technicians, and provider organizations in providing advanced life support.

*As added by P.L.2-1993, SEC.1. Amended by P.L.205-2003, SEC.20; P.L.77-2012, SEC.14.*

**IC 16-18-2-337.8****Standard licensed diagnostic test for HIV**

Sec. 337.8. "Standard licensed diagnostic test for HIV", for purposes of IC 16-41-6, has the meaning set forth in IC 16-41-6-0.5.  
*As added by P.L.237-2003, SEC.4.*

**IC 16-18-2-338****Standard serological test for syphilis**

Sec. 338. "Standard serological test for syphilis", for purposes of IC 16-41-15, has the meaning set forth in IC 16-41-15-2.  
*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-338.5****State authority**

Sec. 338.5. "State authority", for purposes of IC 16-22, means the Indiana finance authority established by IC 4-4-11-4.  
*As added by P.L.43-1993, SEC.12. Amended by P.L.162-2007, SEC.36.*

**IC 16-18-2-339****State department**

Sec. 339. (a) "State department" refers to the state department of health.

(b) For purposes of IC 16-42-1 through IC 16-42-4, the term means the Indiana state board of animal health when impounding or disposing of adulterated or misbranded products under IC 15-17-5 and IC 15-18-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.137-1996, SEC.66; P.L.2-2008, SEC.37.*

**IC 16-18-2-340****State health commissioner or commissioner**

Sec. 340. (a) "State health commissioner" or "commissioner", except as otherwise provided, means the state health commissioner of the state department of health.

(b) For purposes of IC 16-21, IC 16-28, and IC 16-29, the term includes a deputy or an assistant state health commissioner appointed by the state health commissioner, or an agent expressly authorized by the state health commissioner.

(c) For purposes of IC 16-42-1 through IC 16-42-4, the term means the state veterinarian when impounding or disposing of adulterated or misbranded products under IC 15-17-5 and IC 15-18-1.

*As added by P.L.2-1993, SEC.1. Amended by P.L.179-1993, SEC.1; P.L.137-1996, SEC.67; P.L.144-1996, SEC.5; P.L.2-2008, SEC.38.*

**IC 16-18-2-341****Stillbirth**

Sec. 341. "Stillbirth", for purposes of IC 16-37, means a birth after twenty (20) weeks of gestation that is not a live birth.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-342****Storage facility**

Sec. 342. "Storage facility", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-9.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-342.4****Subsidized health services**

Sec. 342.4. (a) "Subsidized health services", for purposes of IC 16-21-6 and IC 16-21-9, means services that:

- (1) are provided by a hospital, in response to community needs, for which the reimbursement is less than the hospital's cost for providing the services; and
- (2) must be subsidized by other hospital or nonprofit supporting entity revenue sources.

(b) Subsidized health services may include:

- (1) emergency and trauma care;
- (2) neonatal intensive care;
- (3) free standing community clinics; and
- (4) collaborative efforts with local government or private agencies in preventive medicine, such as immunization programs.

(c) As used in this section, "nonprofit supporting entity" means a nonprofit entity that is created by the hospital or the hospital's parent entity to further the charitable purposes of the hospital and that is owned or controlled by the hospital or the hospital's parent entity.

*As added by P.L.94-1994, SEC.10.*

**IC 16-18-2-343****Substitute**

Sec. 343. "Substitute", for purposes of IC 16-42-22, has the meaning set forth in IC 16-42-22-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-344****Superintendent**

Sec. 344. "Superintendent", for purposes of IC 16-36-3, has the meaning set forth in IC 12-7-2-188(3).

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-345****Supply dealer**

Sec. 345. "Supply dealer", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-12.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-346****Surgeon**

Sec. 346. "Surgeon", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-10.



*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-346.3**

#### **Target housing**

Sec. 346.3. (a) "Target housing", for purposes of lead-based paint activities and IC 16-41-39.8, means housing constructed before January 1, 1978.

(b) The term does not include the following:

(1) Housing for the elderly or individuals with disabilities that is not occupied by or expected to be occupied by a child of not more than six (6) years of age.

(2) A building without a bedroom.

*As added by P.L.57-2009, SEC.14.*

### **IC 16-18-2-346.5**

#### **Task force**

Sec. 346.5. "Task force", for purposes of IC 16-41-41, has the meaning set forth in IC 16-41-41-1.

*As added by P.L.69-2004, SEC.1.*

### **IC 16-18-2-347**

#### **Repealed**

*(Repealed by P.L.142-1995, SEC.32.)*

### **IC 16-18-2-348**

#### **Repealed**

*(Repealed by P.L.142-1995, SEC.32.)*

### **IC 16-18-2-349**

#### **Temporary residence**

Sec. 349. "Temporary residence", for purposes of IC 16-26, means the premises in which the pregnant woman resides for not more than eleven (11) months that is equipped for sleeping and that is not a hotel, motel, inn, or the pregnant woman's regular residence.

*As added by P.L.2-1993, SEC.1.*

### **IC 16-18-2-349.5**

#### **Tenant**

Sec. 349.5. "Tenant" has the meaning set forth in IC 32-31-3-10.

*As added by P.L.102-2008, SEC.10.*

### **IC 16-18-2-350**

#### **Repealed**

*(Repealed by P.L.87-2005, SEC.40.)*

### **IC 16-18-2-351**

#### **Terminal condition**

Sec. 351. "Terminal condition", for purposes of IC 16-36-4, has the meaning set forth in IC 16-36-4-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-351.5****Terminal illness**

Sec. 351.5. "Terminal illness", for purposes of IC 16-25, has the meaning set forth in IC 16-25-1.1-9.

*As added by P.L.256-1999, SEC.11.*

**IC 16-18-2-352****Toilet units**

Sec. 352. "Toilet units", for purposes of IC 16-41-23-2, has the meaning set forth in IC 16-41-23-2(a).

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-353****Repealed**

*(Repealed by P.L.87-1994, SEC.16.)*

**IC 16-18-2-353.5****Training or educational purposes**

Sec. 353.5. "Training or educational purposes", for purposes of IC 16-39-7.1, has the meaning set forth in IC 16-39-7.1-1.5.

*As added by P.L.179-2003, SEC.1.*

**IC 16-18-2-354****Transfer station**

Sec. 354. "Transfer station", for purposes of IC 16-42, means a place, a premises, or an establishment where milk or milk products are transferred directly from one (1) transport tank to another.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-354.5****Trauma care**

Sec. 354.5. "Trauma care", for purposes of IC 16-19-3-28, means the assessment, diagnosis, transportation, treatment, or rehabilitation by a health care provider of an acute bodily injury that requires immediate intervention to prevent the loss of life or a serious impairment of a body function or part.

*As added by P.L.155-2006, SEC.1.*

**IC 16-18-2-355****Trimester**

Sec. 355. "Trimester", for purposes of IC 16-34, means any one (1) of three (3) equal periods of time of normal gestation period of a pregnant woman derived by dividing the period of gestation into three (3) equal parts of three (3) months each and to be designated as the first trimester, second trimester, and the third trimester, respectively.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-356****Truck**

Sec. 356. "Truck", for purposes of IC 16-42-18, has the meaning set forth in IC 16-42-18-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-357**

##### **Tuberculosis**

Sec. 357. "Tuberculosis", for purposes of IC 16-24, includes other chronic diseases unless the context clearly requires otherwise.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-358**

##### **Unfit for human habitation**

Sec. 358. "Unfit for human habitation", for purposes of IC 16-41-20, has the meaning set forth in IC 16-41-20-1.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-359**

##### **Unit**

Sec. 359. "Unit", for purposes of IC 16-41-22, has the meaning set forth in IC 16-41-22-4.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-360**

##### **Universal precautions**

Sec. 360. "Universal precautions", for purposes of IC 16-41-11, has the meaning set forth in IC 16-41-11-3.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-361**

##### **Unnecessary radiation**

Sec. 361. "Unnecessary radiation", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-14.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-361.5**

##### **Unreimbursed costs; government sponsored indigent health care; nonprofit supporting entity**

Sec. 361.5. (a) "Unreimbursed costs", for purposes of IC 16-21-6 and IC 16-21-9, means the costs a hospital incurs for providing services after subtracting payments received from any source for such services, including the following:

- (1) Third party insurance payments.
- (2) Medicare payments.
- (3) Medicaid payments.
- (4) Medicare education reimbursements.
- (5) State reimbursements for education.
- (6) Payments from drug companies to pursue research.
- (7) Grant funds for research.
- (8) Disproportionate share payments.

(b) For purposes of this definition, costs must be calculated by

applying the aggregate cost to charge ratios for all hospital services derived from the hospital's Medicare cost report to billed charges. Before January 1, 1997, for purposes of this definition, charitable contributions and grants to a hospital, including transfers from endowment or other funds controlled by the hospital or the hospital's nonprofit supporting entities, shall not be subtracted from the costs of providing services for purposes of determining unreimbursed costs. Beginning January 1, 1997, for purposes of this definition, charitable contributions and grants to a hospital, including transfers from endowment or other funds controlled by the hospital or the hospital's nonprofit supporting entities, shall not be subtracted from the costs of providing services for purposes of determining the unreimbursed costs of charity care and government sponsored indigent health care.

(c) As used in this section, "government sponsored indigent health care" has the meaning set forth in IC 16-21-9-2.

(d) As used in this section, "nonprofit supporting entity" means a nonprofit entity that is created by the hospital or the hospital's parent entity to further the charitable purposes of the hospital and that is owned or controlled by the hospital or the hospital's parent entity.

*As added by P.L.94-1994, SEC.11.*

#### **IC 16-18-2-362**

##### **Utilization facility**

Sec. 362. "Utilization facility", for purposes of IC 16-41-35, has the meaning set forth in IC 16-41-35-15.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-363**

##### **Vector**

Sec. 363. "Vector", for purposes of IC 16-41-33, has the meaning set forth in IC 16-41-33-2.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-364**

##### **Repealed**

*(Repealed by P.L.137-1996, SEC.75.)*

#### **IC 16-18-2-365**

##### **Viability**

Sec. 365. "Viability", for purposes of IC 16-34, means the ability of a fetus to live outside the mother's womb.

*As added by P.L.2-1993, SEC.1.*

#### **IC 16-18-2-365.5**

##### **Victim**

Sec. 365.5. "Victim", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.9.

*As added by P.L.90-2005, SEC.3. Amended by P.L.41-2007, SEC.5.*

**IC 16-18-2-366****Vital statistics**

Sec. 366. "Vital statistics" includes the following:

- (1) Factual data concerning births, deaths, and stillbirths and relevant personal, medical, and social data.
- (2) The registration, preparation, transcription, collection, compilation, and preservation of that data.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-367****Volunteer fire department**

Sec. 367. "Volunteer fire department", for purposes of IC 16-31-3, has the meaning set forth in IC 16-31-3-6(a).

*As added by P.L.2-1993, SEC.1. Amended by P.L.1-1999, SEC.43.*

**IC 16-18-2-368****Volunteer firefighter**

Sec. 368. "Volunteer firefighter", for purposes of IC 16-31-3, has the meaning set forth in IC 16-31-3-6(b).

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-369****Warehouseman**

Sec. 369. "Warehouseman", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-9.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-370****Waste blood specimen**

Sec. 370. "Waste blood specimen", for purposes of IC 16-41-17, has the meaning set forth in IC 16-41-17-1.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-371****Wastes**

Sec. 371. "Wastes", for purposes of IC 16-41-16-3, has the meaning set forth in rules adopted under 16-41-16-8.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-372****Water board**

Sec. 372. "Water board", for purposes of IC 16-41, refers to the board established by IC 13-13-8-3.

*As added by P.L.2-1993, SEC.1. Amended by P.L.1-1996, SEC.73; P.L.133-2012, SEC.181.*

**IC 16-18-2-373****White bread**

Sec. 373. "White bread", for purposes of IC 16-42-10, has the meaning set forth in IC 16-42-10-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-374**

**Wholesaler**

Sec. 374. (a) "Wholesaler", for purposes of IC 16-42-11, has the meaning set forth in IC 16-42-11-1.1.

(b) "Wholesaler", for purposes of IC 16-42-19 and IC 16-42-21, has the meaning set forth in IC 16-42-19-10.

(c) "Wholesaler", for purposes of IC 16-41-32, has the meaning set forth in IC 16-41-32-13.

*As added by P.L.2-1993, SEC.1. Amended by P.L.28-2009, SEC.3.*

**IC 16-18-2-375**

**WIC**

Sec. 375. "WIC", for purposes of IC 16-35-1.5, has the meaning set forth in IC 16-35-1.5-2.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-376**

**WIC participant**

Sec. 376. "WIC participant", for purposes of IC 16-35-1.5, has the meaning set forth in IC 16-35-1.5-3.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-377**

**WIC vendor**

Sec. 377. "WIC vendor", for purposes of IC 16-35-1.5, has the meaning set forth in IC 16-35-1.5-4.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-378**

**Women, infants, and children nutrition program**

Sec. 378. "Women, infants, and children nutrition program", for purposes of IC 16-35-1.5, has the meaning set forth in IC 16-35-1.5-5.

*As added by P.L.2-1993, SEC.1.*

**IC 16-18-2-379**

**X-ray film**

Sec. 379. "X-ray film", for purposes of IC 16-39, has the meaning set forth in IC 16-39-7-2.

*As added by P.L.2-1993, SEC.1.*