

IC 16-21
ARTICLE 21. HOSPITALS

IC 16-21-1
Chapter 1. Hospital Council

IC 16-21-1-1
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-2
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-3
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-4
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-5
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-6
Repealed
(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-7
Rules; requests by department; consideration by department

Sec. 7. (a) Except as provided in subsection (b), the council shall propose and the executive board may adopt rules under IC 4-22-2 necessary to protect the health, safety, rights, and welfare of patients, including the following:

(1) Rules pertaining to the operation and management of hospitals, ambulatory outpatient surgical centers, abortion clinics, and birthing centers.

(2) Rules establishing standards for equipment, facilities, and staffing required for efficient and quality care of patients.

(b) The state department may request the council to propose a new rule or an amendment to an existing rule necessary to protect the health, safety, rights, and welfare of patients. If the council does not propose a rule within ninety (90) days of the department's request, the department may propose its own rule.

(c) The state department shall consider the rules proposed by the council and may adopt, modify, remand, or reject specific rules or parts of rules proposed by the council.

As added by P.L.2-1993, SEC.4. Amended by P.L.96-2005, SEC.4.

IC 16-21-1-8

Repealed

(Repealed by P.L.156-2011, SEC.41; P.L.197-2011, SEC.153.)

IC 16-21-1-9

Waiver of rules

Sec. 9. (a) The state health commissioner may, for good cause shown, waive a rule:

- (1) adopted under this chapter; or
- (2) that may be waived under IC 16-28 for a specified time for a hospital based health facility or a hospital licensed under this article.

(b) A waiver may not adversely affect the health, safety, and welfare of the residents or patients.

As added by P.L.2-1993, SEC.4. Amended by P.L.156-2011, SEC.12; P.L.197-2011, SEC.57.

IC 16-21-1-10

Licensure inspections; disclosure of inspection date; penalties; reports; release of records to public

Sec. 10. (a) Licensure inspections of an institution or agency shall be made regularly in accordance with rules adopted under this chapter. The state department shall make all health and sanitation inspections, including inspections in response to an alleged breach of this chapter or rules adopted under this chapter. The division of fire and building safety shall make all fire safety inspections. The council may provide for other inspections necessary to implement this chapter.

(b) An employee of the state department who knowingly or intentionally informs an institution or agency of the exact date of an unannounced inspection shall be suspended without pay for five (5) days for a first offense and shall be dismissed for a subsequent offense.

(c) Reports of all inspections must be in writing and sent to the institution or agency.

(d) The report of an inspection and records relating to the inspection may not be released to the public until the conditions set forth in IC 16-19-3-25 are satisfied.

As added by P.L.2-1993, SEC.4. Amended by P.L.190-1995, SEC.4; P.L.1-2006, SEC.295.