

IC 16-28-11

Chapter 11. Miscellaneous Provisions

IC 16-28-11-1

Payment of fines and fees; deposit

Sec. 1. Except as provided in IC 16-28-1-11 and IC 16-28-7-4, fines or fees required to be paid under this article shall be paid directly to the director who shall deposit the fines or fees in the state general fund.

As added by P.L.2-1993, SEC.11. Amended by P.L.218-1999, SEC.2.

IC 16-28-11-2

Compulsory medical treatment and examination

Sec. 2. This article does not authorize or require any form of compulsory medical treatment or physical or mental examination of a person who:

- (1) is a resident, a guest, a patient, an employee, a registrant, or an enrollee of an exempt institution specified in IC 16-18-2-167(c); and
- (2) is being treated by prayer or spiritual means alone for healing;

or to deny to the person the right to rely solely upon prayer or spiritual means by receiving only the treatment given by an accredited practitioner of the religious denomination known as the Church of Christ, Scientist, if the laws pertaining to the safe condition of the premises, cleanliness of the operation of the premises, and the physical equipment on the premises are complied with.

As added by P.L.2-1993, SEC.11.

IC 16-28-11-3

Practice of medicine

Sec. 3. This article does not authorize any person to engage, in any manner, in the practice of medicine (as defined in IC 25-22.5).

As added by P.L.2-1993, SEC.11.

IC 16-28-11-4

Health facility, county jail, or department of correction facility required to return certain unused medication

Sec. 4. (a) A health facility, county jail under IC 11-12-5-8, or department of correction facility under IC 11-10-3-4 that possesses unused medication that meets the requirements of IC 25-26-13-25(k)(1) through IC 25-26-13-25(k)(6):

- (1) shall return medication that belonged to a Medicaid recipient; and
- (2) may return other unused medication;

to the pharmacy that dispensed the medication.

(b) An entity participating in a program under IC 25-26-23 may return unused medication to the pharmacy that dispensed the medication if the board of pharmacy adopts a rule allowing this

procedure under IC 25-26-23-2.

As added by P.L.75-2004, SEC.1. Amended by P.L.204-2005, SEC.3; P.L.119-2011, SEC.2; P.L.174-2011, SEC.3; P.L.159-2012, SEC.3.

IC 16-28-11-5

Fire sprinkler systems in health facilities

Sec. 5. (a) This section does not apply to the Indiana Veterans' Home.

(b) A health facility licensed under IC 16-28 as a comprehensive care facility must do the following:

(1) Have an automatic fire sprinkler system installed throughout the facility before July 1, 2012.

(2) If an automatic fire sprinkler system is not installed throughout the health facility before July 1, 2010, submit before July 1, 2010, a plan to the state department for completing the installation of the automatic fire sprinkler system before July 1, 2012.

(3) Have a battery operated or hard wired smoke detector in each resident's room before July 1, 2012.

(c) The state department shall adopt rules under IC 4-22-2 to implement this section.

As added by P.L.73-2007, SEC.1.

IC 16-28-11-5.5

Employee of health facility not required to perform CPR if specified criteria are met

Sec. 5.5. (a) This section does not apply to the implementation of a do not resuscitate order.

(b) This article does not require an employee of a health facility to provide cardiopulmonary resuscitation (CPR) or other intervention on a patient if a registered nurse licensed under IC 25-23 or a physician licensed under IC 25-22.5 who is employed by the health facility has determined that the following criteria have been met:

(1) The patient has experienced an unwitnessed cessation of circulatory and respiratory functions.

(2) The patient is unresponsive.

(3) The patient's pupils are fixed and dilated.

(4) The patient's body temperature indicates hypothermia.

(5) The patient has generalized cyanosis.

(6) The patient has livor mortis.

As added by P.L.134-2008, SEC.13.

IC 16-28-11-6

Disclosure of fire sprinkler systems in consumer guide to nursing homes

Sec. 6. The state department shall disclose, in the state department's consumer guide to nursing homes, whether a health facility is:

(1) fully;

(2) partially; or

(3) not;
equipped with fire sprinklers.
As added by P.L.73-2007, SEC.2.

IC 16-28-11-7

Disclosure of smoke detector information in consumer guide to nursing homes

Sec. 7. The state department shall disclose the following information in the state department's consumer guide to nursing homes:

(1) Until July 1, 2012, whether each health facility has:

- (A) a battery operated;
- (B) a hard wired; or
- (C) no;

smoke detector in each resident's room.

(2) After June 30, 2012, whether a health facility has:

- (A) a battery operated; or
- (B) a hard wired;

smoke detector in each resident's room.

(3) If a health facility has a hard wired or wireless smoke detector in each resident's room, whether the smoke detector:

- (A) provides a visual and audible signal at the nurses' stations that attend each room;
- (B) transmits to a central station service; and
- (C) connects to the health facility's fire alarm system.

As added by P.L.73-2007, SEC.3.