

IC 16-29-6

Chapter 6. Comprehensive Care Health Facilities and Medicaid Services

IC 16-29-6-1

Application; covered facilities

Sec. 1. Except as provided by this chapter, this chapter applies to a health facility:

- (1) that is licensed or will be licensed under IC 16-28 as a comprehensive care facility; and
- (2) for which construction began after June 30, 2011.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-2

Application; facilities to which law not applicable

Sec. 2. This chapter does not apply to the following:

- (1) A small house health facility.
- (2) A continuing care retirement community (as defined in IC 16-28-15-2) that:
 - (A) seeks to add licensed beds to an existing licensed facility; or
 - (B) has executed at least fifty percent (50%) of the facility's continuing care agreements with individuals before December 31, 2011.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-3

"Comprehensive care bed"

Sec. 3. As used in this chapter, "comprehensive care bed" has the meaning set forth in IC 16-28-16-2.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-4

"New comprehensive care facility"

Sec. 4. As used in this chapter, "new comprehensive care facility" refers to a health facility:

- (1) for which construction began after June 30, 2011; and
- (2) that is licensed or will be licensed under IC 16-28 as a comprehensive care facility.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-5

"Replacement bed"

Sec. 5. As used in this chapter, "replacement bed" has the meaning set forth in IC 16-28-16-3.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-6

Prohibition; certification of new comprehensive care bed in new comprehensive care facility

Sec. 6. Subject to section 7 of this chapter, a comprehensive care bed in a new comprehensive care facility may not be certified for participation in the state Medicaid program before July 1, 2016.
As added by P.L.229-2011, SEC.164.

IC 16-29-6-7

Permitted replacement beds

Sec. 7. (a) Section 6 of this chapter does not apply to a replacement bed if the new comprehensive care facility:

- (1) seeks a replacement bed exception;
- (2) is licensed or is to be licensed under this article;
- (3) applies to the state department to certify a comprehensive care bed for participation in the Medicaid program if the comprehensive care bed for which the health facility is seeking certification is a replacement bed for an existing comprehensive care bed;
- (4) applies to the division of aging in the manner:
 - (A) described in subsection (b); and
 - (B) prescribed by the division; and
- (5) meets the licensure, survey, and certification requirements of IC 16-28.

(b) An application made under subsection (a) for a replacement bed exception must include the following:

- (1) The total number and identification of the existing comprehensive care beds that the applicant requests be replaced by health facility location and by provider.
- (2) If the replacement bed is being transferred to a different comprehensive care health facility with the same ownership, a provision that provides the division of aging written verification from the health facility holding the comprehensive care bed certification that the health facility has agreed to transfer the beds to the applicant health facility.
- (3) If the replacement bed is being transferred to a different comprehensive care health facility under different ownership, a provision that provides the division of aging a copy of the complete agreement between the comprehensive care health facility transferring the beds and the applicant comprehensive care health facility.
- (4) Any other information requested by the division of aging necessary to evaluate the transaction.

As added by P.L.229-2011, SEC.164.

IC 16-29-6-8

Report

Sec. 8. Not later than October 31, 2013, the office of the secretary of family and social services shall report to the health finance commission established by IC 2-5-23-3 with a five (5) year plan to steadily reduce the number of Medicaid certified comprehensive care beds and health facility patients.

As added by P.L.229-2011, SEC.164. Amended by P.L.205-2013,

SEC.218.

IC 16-29-6-9

Expiration

Sec. 9. This chapter expires July 1, 2016.

As added by P.L.229-2011, SEC.164.