IC 16-21-6
Chapter 6. Hospital Financial Disclosure Law

IC 16-21-6-0.1
Contractual allowances defined

Sec. 0.1. As used in this chapter, "contractual allowances" means the difference between revenue at established rates and amounts realizable from third party payors under contractual agreements.
As added by P.L.94-1994, SEC.12.

IC 16-21-6-0.2
Education related costs defined

Sec. 0.2. As used in this chapter, "education related costs" means the unreimbursed cost to a hospital of providing, funding, or otherwise financially supporting educational benefits, services, and programs, including:

(1) education of physicians, nurses, technicians, and other medical professionals and health care providers;

(2) provision of scholarships and funding to medical schools and other postsecondary educational institutions for health professions education;

(3) education of patients concerning diseases and home care in response to community needs; and

(4) community health education through informational programs, publications, and outreach activities in response to community needs.

As added by P.L.94-1994, SEC.13. Amended by P.L.2-2007, SEC.189.

IC 16-21-6-1
Gross patient revenue defined

Sec. 1. As used in this chapter, "gross patient revenue" means inpatient and outpatient revenue from services to patients, including payments received from or on behalf of individual patients.
As added by P.L.2-1993, SEC.4.

IC 16-21-6-2
Net patient revenue defined

Sec. 2. As used in this chapter, "net patient revenue" means gross patient revenue less deductions for contractual adjustments, bad debts, and charity.
As added by P.L.2-1993, SEC.4.

IC 16-21-6-3
Fiscal reports; required documentation

Sec. 3. (a) Each hospital shall file with the state department a report for the preceding fiscal year within one hundred twenty (120) days after the end of the hospital's fiscal year. The state department

shall grant an extension of the time to file the report if the hospital shows good cause for the extension. The report must contain the following:

(1) A copy of the hospital's balance sheet, including a statement describing the hospital's total assets and total liabilities.

(2) A copy of the hospital's income statement.

(3) A statement of changes in financial position.

(4) A statement of changes in fund balance.

(5) Accountant notes pertaining to the report.

(6) A copy of the hospital's report required to be filed annually under 42 U.S.C. 1395g, and other appropriate utilization and financial reports required to be filed under federal statutory law.

(7) Net patient revenue.

(8) A statement including:

(A) Medicare gross revenue;

(B) Medicaid gross revenue;

(C) other revenue from state programs;

(D) revenue from local government programs;

(E) local tax support;

(F) charitable contributions;

(G) other third party payments;

(H) gross inpatient revenue;

(I) gross outpatient revenue;

(J) contractual allowance;

(K) any other deductions from revenue;

(L) charity care provided;

(M) itemization of bad debt expense; and

(N) an estimation of the unreimbursed cost of subsidized health services.

(9) A statement itemizing donations.

(10) A statement describing the total cost of reimbursed and unreimbursed research.

(11) A statement describing the total cost of reimbursed and unreimbursed education separated into the following categories:

(A) Education of physicians, nurses, technicians, and other medical professionals and health care providers.

(B) Scholarships and funding to medical schools, and other postsecondary educational institutions for health professions education.

(C) Education of patients concerning diseases and home care in response to community needs.

(D) Community health education through informational programs, publications, and outreach activities in response to community needs.

(E) Other educational services resulting in education related costs.

(b) The information in the report filed under subsection (a) must be provided from reports or audits certified by an independent certified public accountant or by the state board of accounts.

As added by P.L.2-1993, SEC.4. Amended by P.L.94-1994, SEC.14; P.L.2-2007, SEC.190.

IC 16-21-6-4
Repealed

(As added by P.L.2-1993, SEC.4. Repealed by P.L.1-2010, SEC.156.)

IC 16-21-6-5
Fiscal reports; further verifying information

Sec. 5. If further fiscal information is necessary to verify the accuracy of any information contained in the reports filed under section 3 of this chapter, the state department may require the facility to produce the records necessary to verify that information.
As added by P.L.2-1993, SEC.4.

IC 16-21-6-6
Patient information reports

Sec. 6. In addition to the report filed under section 3 of this chapter, each hospital shall, not more than one hundred twenty (120) days after the end of each calendar quarter, file with the state department, or the state department's designated contractor, inpatient and outpatient discharge information at the patient level, in a format prescribed by the state health commissioner, including the following:

(1) The patient's:
  (A) length of stay;
  (B) diagnoses and surgical procedures performed during the patient's stay;
  (C) date of:
    (i) admission;
    (ii) discharge; and
    (iii) birth;
  (D) type of admission;
  (E) admission source;
  (F) gender;
  (G) race;
  (H) discharge disposition; and
  (I) payor, including:
    (i) Medicare;
    (ii) Medicaid;
    (iii) a local government program;
    (iv) commercial insurance;
    (v) self-pay; and
    (vi) charity care.
(2) The total charge for the patient's stay.
(3) The ZIP code of the patient's residence.
(4) Beginning October 1, 2013, all diagnosed external causes of injury codes.

As added by P.L.2-1993, SEC.4. Amended by P.L.94-1994, SEC.15;

P.L.44-2002, SEC.3; P.L.156-2011, SEC.17.

IC 16-21-6-7

Fiscal and patient information reports; personal identification of patients; public inspection; copies

Sec. 7. (a) The reports filed under section 3 of this chapter:

(1) may not contain information that personally identifies a patient or a consumer of health services; and

(2) must be open to public inspection.

(b) The state department shall provide copies of the reports filed under section 3 of this chapter to the public upon request, at the state department's actual cost.

(c) The following apply to information that is filed with the state department, or the state department's designated contractor, or transferred to the state department by the state department's designated contractor under section 6 of this chapter:

(1) Except as provided in subsection (e), the information is confidential.

(2) The information must be transferred by the contractor to the state department in a format determined by the state department.

(d) An analysis completed by the state department of information that is filed under section 6 of this chapter:

(1) may not contain information that personally identifies or may be used to personally identify a patient or consumer of health services, unless the information is determined by the state department to be necessary for a public health activity;

(2) must be open to public inspection; and

(3) must be provided to the public by the state department upon request at the state department's actual cost.

(e) Information provided under section 6 of this chapter may be released or made public by the state department only if at least one (1) of the following circumstances applies:

(1) The use of the information by the state department:

(A) is to comply with the requirements of this chapter; or

(B) is released for statistical purposes in a manner that does not identify an individual.

(2) At the state department's discretion, for research purposes with identifiable information being released only if:

(A) the person requesting the information states in writing to the state department:

(i) the purpose, including any intent to publish findings, and the nature of the data sought;

(ii) the personal information that is required; and

(iii) the safeguards the person will take to protect the identity of the data subjects;

(B) the proposed safeguards in clause (A)(iii) are adequate to prevent the identity of an individual data subject from being known;

(C) the researcher executes an agreement with the state

department, on a form approved by the oversight committee on public records, that:

(i) incorporates the safeguards for the protection of individual data subjects;

(ii) defines the scope of the research project; and

(iii) informs the researcher that failure to abide by the conditions of the approved agreement constitutes a breach of contract and could result in civil litigation by the data subject;

(D) the researcher agrees to pay any costs of the research; and

(E) the state department maintains a copy of the agreement or contract for the life of the record.

As added by P.L.2-1993, SEC.4. Amended by P.L.44-2002, SEC.4; P.L.78-2004, SEC.22; P.L.208-2015, SEC.8.

IC 16-21-6-8

Compliance; injunctive relief

Sec. 8. The state department may, through the attorney general, seek to compel compliance with this chapter through injunctive relief.

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

IC 16-21-6-9

Rules; uniform reporting system

Sec. 9. (a) The state department shall adopt rules under IC 4-22-2 necessary to carry out this chapter.

(b) The rules adopted under this section must include rules that establish a uniform system for completing the reports required under sections 3 and 6 of this chapter.

(c) The rules adopted under this section must provide that, to the greatest extent possible, copies of reports required to be filed with federal, state, and local agencies may be used by facilities in completing the reports required by this chapter.

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

IC 16-21-6-10

State health commissioner; findings and recommendations; report

Sec. 10. Each year the state health commissioner or the commissioner's designee shall make a compilation of the data obtained from the reports required under sections 3 and 6 of this chapter and report in an electronic format under IC 5-14-6 the findings and recommendations to the general assembly not later than December 1 of the year the reports are filed. However, the commissioner is not required to incorporate a report that is required to be filed by a hospital with the state department less than one hundred twenty (120) days before December 1, but shall incorporate the report data in the report to be made the following year.

As added by P.L.2-1993, SEC.4. Amended by P.L.28-2004, SEC.136.

IC 16-21-6-11
Consumer guide to Indiana hospitals

Sec. 11. (a) The state department shall annually publish a consumer guide to Indiana hospitals. The state department shall compile the data for the consumer guide from the relevant data required to be filed under sections 3 and 6 of this chapter and publish the data in an understandable format that assists the consuming public in making both financial and utilization comparisons between hospitals.

(b) The state department shall, upon request, provide to the public, at the state department's actual cost, copies of the consumer guide to Indiana hospitals published under subsection (a).

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

IC 16-21-6-12
Violations

Sec. 12. Any person who is a custodian of confidential data at the state department and who knowingly or intentionally:

(1) discloses, distributes, or sells confidential data obtained under this chapter; or

(2) identifies a specific patient in violation of section 7 of this chapter;

commits a Class B misdemeanor.

As added by P.L.94-1994, SEC.16.