

## **IC 16-28-3**

### **Chapter 3. Probationary Licenses; Revocation of Licenses**

#### **IC 16-28-3-1**

##### **Initiation of proceedings; procedure**

Sec. 1. (a) The director may initiate a proceeding to issue a probationary license or to revoke a license issued under this article on any of the following grounds:

- (1) Breach of this article or rules adopted under this article.
- (2) Permitting, aiding, or abetting the commission of an act in the health facility or on the health facility's premises that is determined by a court to be illegal.
- (3) Conduct or practice found by the director to be detrimental to the welfare of the patients at the health facility.
- (4) Employing consecutively more than one (1) health facility administrator provisionally licensed under IC 25-19-1-3(b) during any twelve (12) month period.

(b) The procedure governing an action taken under subsection (a) is governed by:

- (1) IC 4-21.5-3-8; or
- (2) IC 4-21.5-4.

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

#### **IC 16-28-3-2**

##### **Issuance of probationary licenses**

Sec. 2. The director may initiate a proceeding under section 1 of this chapter to issue a probationary license if the director determines that the revocation of an existing license would not be in the best interests of the patients of the health facility or in the best interests of the community served by that facility. The director shall state the requirements and orders that the health facility must comply with in order to receive a probationary license.

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

#### **IC 16-28-3-3**

##### **Facilities restricted to probationary licenses**

Sec. 3. If a health facility is in breach of this article or rules adopted under this article by offenses or patterns of deficiencies detrimental to the best interests of the public, the patients, or the health facility profession, the only type of license that may be issued to the health facility is a probationary license.

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

#### **IC 16-28-3-4**

##### **Duration of probationary licenses; reissuance; expiration of other licenses**

Sec. 4. A probationary license may be issued for three (3) months. The probationary license may be reissued but not more than three (3) probationary licenses may be issued during a twelve (12) month

period. The issuance of a probationary license results in the automatic expiration of any other license held under this article.

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

**IC 16-28-3-5**

**License fees**

Sec. 5. The license fee for a probationary license is the same as the annual license fee charged for that class and size of facility.

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