

IC 16-46-10

Chapter 10. Local Health Maintenance Fund

IC 16-46-10-1

Local health maintenance fund established

Sec. 1. (a) The local health maintenance fund is established for the purpose of providing local boards of health with funds to provide public health services. The fund shall be administered by the state department and consists of:

- (1) appropriations by the general assembly; and
- (2) penalties paid and deposited in the fund under IC 6-8-11-17.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of the state fiscal year does not revert to the state general fund.

As added by P.L.82-1993, SEC.3. Amended by P.L.92-1995, SEC.3.

IC 16-46-10-2

Funding to local boards of health

Sec. 2. (a) Except as provided in subsections (b) and (d), the state department shall provide funding each year from the local health maintenance fund under the following schedule to each local board of health whose application for funding is approved by the state department:

COUNTY POPULATION	AMOUNT OF GRANT
over - 499,999	\$ 60,000
100,000 - 499,999	50,000
50,000 - 99,999	30,000
under - 50,000	20,000

(b) For purposes of determining the amount of a grant to a multiple county board of health, the state department shall regard each county of the multiple county health department as a separate county. A grant to a multiple county board of health must equal the total of grants that would be made to the separate counties based on the population of each county.

(c) A local board of health that desires to receive funding from the local health maintenance fund must file an application with the state department before May 1 of each year. The application must state how the funds will be spent. The state department may extend the deadline for filing an application upon a showing of good cause by the local board of health.

(d) If a county has more than one (1) local health department, the county fiscal body shall adopt an ordinance to allocate the funds provided to the county under subsection (a). This ordinance must

provide that each local board of health in the county must receive an allocation of funds granted under subsection (a). The county fiscal body shall file a copy of the ordinance with the state department before May 1 of each year.

(e) By June 1 of each year, the state department shall:

- (1) allocate money in the local health maintenance fund (for distribution the following January) to each local board of health whose application is approved in accordance with the schedule in subsection (a); and
- (2) determine how much money in the local health maintenance fund has not been applied for.

The state department may use the money that has not been applied for or otherwise allocated to fund joint plans entered into by two (2) or more local boards of health or by a multiple county board as provided in subsections (g) and (i).

(f) If two (2) or more local boards of health cooperate in providing any of the services set out in section 3 of this chapter, those boards of health shall file a joint plan that must be approved by the state department. The joint plan must specify the following:

- (1) The services to be provided under the plan.
- (2) The cost of each service to be provided under the plan.
- (3) The percentage of the total cost of services to be provided under the joint plan by each local board of health.

(g) If two (2) or more local boards of health join together to provide services in accordance with a joint plan filed with the state department of health under subsection (f), and the state department determines that the services to be provided under the joint plan are eligible for funding from the local health maintenance fund, the state department shall grant (in addition to the funds provided to each county in which the local boards of health are located under subsection (a)) an amount not to exceed fifteen thousand dollars (\$15,000) to fund the joint plan. The state department shall grant money to fund joint plans that most effectively accomplish the following goals in accordance with standards adopted by the state department:

- (1) Benefit the greatest number of people.
- (2) Provide services in a cost effective manner.
- (3) Address the most serious health care needs of the area served.
- (4) Provide additional public health services in a medically underserved or economically distressed area.

This money shall be allocated directly to each local board of health participating in the joint plan in the same percentages specified in the joint plan under subsection (f)(3).

(h) A multiple county health board may file a plan under this section to provide any of the services set out in section 3 of this chapter. If the state department determines that the services to be provided under the plan submitted by a multiple county health board are eligible for funding from the local health maintenance fund, the state department shall grant (in addition to the funds provided under

subsection (a) to each county in which the local boards of health are located) an amount not to exceed fifteen thousand dollars (\$15,000) to fund the plan.

(i) Services funded under this section must be in addition to, and not in place of, services funded at the local level.

As added by P.L.82-1993, SEC.3.

IC 16-46-10-3

Use of funding by local boards of health

Sec. 3. (a) Funding provided a local board of health under section 2 of this chapter may be used by the local board to provide any of the following services:

- (1) Animal and vector control.
- (2) Communicable disease control, including immunizations.
- (3) Food sanitation.
- (4) Environmental health.
- (5) Health education.
- (6) Laboratory services.
- (7) Maternal and child health services, including prenatal clinics and well-child clinics.
- (8) Nutrition services.
- (9) Public health nursing, including home nursing visitation and vision and hearing screening.
- (10) Vital records.

(b) Money granted a local board of health from the local health maintenance fund may not be used for any purpose other than for the services listed in this section.

As added by P.L.82-1993, SEC.3.

IC 16-46-10-4

Provision of funded services; cost to recipient; use of fees

Sec. 4. (a) Except as provided in subsections (b) and (c), the services funded under this chapter shall be provided without cost to a recipient.

(b) If a recipient has insurance or any type of public indemnification that would in part pay for any services funded under this chapter, then the recipient shall assign the recipient's rights to that insurance or public indemnification to the local board of health. The insurer, upon notification from the local board of health, shall pay for those services covered under that recipient's insurance policy or public indemnification.

(c) The legislative body of the unit in which a local board of health has jurisdiction may adopt an ordinance that requires the local board of health to do either or both of the following:

- (1) Charge individuals for services on a sliding fee schedule based on income that is adopted by the state board under rules adopted under IC 4-22-2.
- (2) Charge corporations, partnerships, and other commercial concerns for services funded under this chapter.

(d) The fees for services collected under subsection (c) shall be used only for public health purposes and shall be used in addition to, and not in place of, funds allocated for public health purposes before the ordinance described in subsection (c) became effective.

As added by P.L.82-1993, SEC.3.

IC 16-46-10-5

Adoption of rules by state board

Sec. 5. The state board shall adopt rules under IC 4-22-2 necessary to carry out this chapter.

As added by P.L.82-1993, SEC.3.