TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

Economic Impact Statement
LSA Document #15-386

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses
Description of the Rule

Under IC 16-21-1-7, the Indiana State Department of Health (ISDH) has the authority to adopt rules in order to protect the health, safety, rights, and welfare of patients, including: 1) rules pertaining to the operation and management of hospitals, ambulatory outpatient surgical centers, abortion clinics, and birthing centers; and 2) rules establishing standards for equipment, facilities, and staffing required for efficient and quality care of patients.

This rule revision adds 410 IAC 15-1.1-18.5 by adding a definition for "qualified dietitian", and also amends 410 IAC 15-1.5-1 by allowing qualified dietitians to prescribe therapeutic diets. This rule revision amends 410 IAC 17-9-20 concerning the definition of "medication assistance" by allowing home health aides to provide assistance related to controlled substances and prescription drugs.

The rule will take effect 30 days after filing with the Publisher.

Economic Impact on Small Businesses

1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.

There are currently no small businesses that will be subject to the proposed rule change.

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

There are no additional reporting, record keeping, or administrative costs added by this rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

Compliance with this rule will not have an economic impact on any small businesses.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; and not expressly required by the statute authorizing the agency to adopt the rule; or any other state or federal law.

This rule will not add any expenses to small businesses.

5. Regulatory Flexibility Analysis

Other factors considered:

A. Establishment of less stringent compliance or reporting requirements for small businesses.

There is no change in compliance or reporting requirements associated with this rule for small businesses.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

There are no schedules or deadlines for compliance or reporting requirements associated with this rule for small businesses.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

There are no schedules or deadlines for compliance or reporting requirements associated with this rule for small businesses.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

There are no performance standards, design standards, or operation standards imposed by this rule on small businesses.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

There are no costs to small businesses associated with this rule revision.

Conclusion:

The proposed amendments will have no negative financial effect on the regulated community. The amendments only change who may perform an act. The rule as it relates to qualified dietitians, if implemented by a facility, should have a rather small reduction in cost (the cost associated with the physician's time to determine the diet type and write the order versus the staff level individuals who will perform this function). The intangible benefit is a regulatory burden shift from physicians to qualified dietetic staff.

Posted: 06/08/2016 by Legislative Services Agency
An html version of this document.