

# SENATE BILL No. 418

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-28-2-3.

**Synopsis:** Nursing home licensure requirements. Provides that before a license may be issued to a health facility with at least 50 available beds, the facility must have on staff a licensed physician, a registered nurse, and a full-time facility administrator.

**Effective:** July 1, 1998.

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January 13, 1998, read first time and referred to Committee on Health and Environmental Affairs.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-28-2-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. **(a) Except as**  
3 **provided in subsection (b)**, before the director may issue a license to  
4 a health facility, the director must find that the health facility, within  
5 the care category for which license is sought, is adequate in each of the  
6 following respects:  
7 (1) The physical structure in which the service is to be performed.  
8 (2) The educational level, number, and personal health of the  
9 staff.  
10 (3) The financial ability to provide the service to be performed.  
11 (4) The equipment with which to perform the service.  
12 (5) The operating history of other health facilities owned or  
13 managed by the same person who owns or manages the facility.  
14 The director may recommend denial of licensure to a new facility  
15 or facility applying for licensure under new ownership where the  
16 owner or manager has a record of operation of other health  
17 facilities in substantial breach of this chapter or any other law



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- 1 governing health facilities.
- 2 **(b) Before the director may issue a license to a health facility**
- 3 **with at least fifty (50) available beds, in addition to the**
- 4 **requirements of subsection (a) the facility must have:**
- 5 **(1) at least one (1) licensed physician and one (1) registered**
- 6 **nurse on staff; and**
- 7 **(2) a facility administrator who:**
- 8 **(A) manages the facility;**
- 9 **(B) is responsible for:**
- 10 **(i) the delivery of quality care to residents at the facility;**
- 11 **and**
- 12 **(ii) the implementation of the policies and procedures of**
- 13 **the facility; and**
- 14 **(C) works full-time on administrative duties.**

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