

# SENATE BILL No. 290

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-6-2.

**Synopsis:** Health care provider peer review protection. Amends the definitions of "evaluation of patient care" and "peer review committee" for purposes of the Indiana health care provider peer review law to include evaluation of patient care generally.

**Effective:** July 1, 1999.

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**Miller**

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January 7, 1999, read first time and referred to Committee on Health and Provider Services.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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## SENATE BILL No. 290

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A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

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

- 1 SECTION 1. IC 34-6-2-44 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 44. (a) "Evaluation of  
3 patient care", for purposes of IC 34-30-15, relates to:  
4 (1) the accuracy of diagnosis;  
5 (2) the propriety, appropriateness, quality, or necessity of care  
6 rendered by a professional health care provider; and  
7 (3) the reasonableness of the utilization of services, procedures,  
8 and facilities. ~~in the treatment of individual patients.~~  
9 (b) The term does not relate to charges for services or to methods  
10 used in arriving at diagnoses.  
11 SECTION 2. IC 34-6-2-99 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 99. (a) "Peer review  
13 committee", for purposes of IC 34-30-15, means a committee that:  
14 (1) has the responsibility of evaluation of:  
15 (A) qualifications of professional health care providers;  
16 (B) patient care rendered by professional health care  
17 providers; (as defined in IC 34-6-2-44); or



- 1 (C) the merits of a complaint against a professional health care  
2 provider that includes a determination or recommendation  
3 concerning the complaint, and the complaint is based on the  
4 competence or professional conduct of an individual health  
5 care provider, whose competence or conduct affects or could  
6 affect adversely the health or welfare of a patient or patients;  
7 and  
8 (2) meets the following criteria:  
9 (A) The committee is organized:  
10 (i) by a state, regional, or local organization of professional  
11 health care providers or by a nonprofit foundation created by  
12 the professional organization for purposes of improvement  
13 of patient care;  
14 (ii) by the professional staff of a hospital, another health care  
15 facility, a nonprofit health care organization (under section  
16 117(23) of this chapter), or a professional health care  
17 organization;  
18 (iii) by state or federal law or regulation;  
19 (iv) by a governing board of a hospital, a nonprofit health  
20 care organization (under section 117(23) of this chapter), or  
21 professional health care organization;  
22 (v) as a governing board or committee of the board of a  
23 hospital, a nonprofit health care organization (under section  
24 117(23) of this chapter), or professional health care  
25 organization;  
26 (vi) by an organization, a plan, or a program described in  
27 section 117(16) through 117(17) of this chapter;  
28 (vii) as a hospital or a nonprofit health care organization  
29 (under section 117(23) of this chapter) medical staff or a  
30 section of that staff; or  
31 (viii) as a governing board or committee of the board of a  
32 professional health care provider (as defined in section  
33 117(16) through 117(17) of this chapter).  
34 (B) At least fifty percent (50%) of the committee members are:  
35 (i) individual professional health care providers, the  
36 governing board of a hospital, the governing board of a  
37 nonprofit health care organization (under section 117(23) of  
38 this chapter), or professional health care organization, or the  
39 governing board or a committee of the board of a  
40 professional health care provider (as defined in section  
41 117(16) through 117(17) of this chapter); or  
42 (ii) individual professional health care providers and the

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1                   committee is organized as an interdisciplinary committee to  
2                   conduct evaluation of patient care services.  
3           (b) However, "peer review committee" does not include a medical  
4           review panel created under IC 34-18-10 (or IC 27-12-10 before its  
5           repeal).

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