

HOUSE BILL No. 1654

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Comprehensive care beds. Creates a moratorium on the addition, construction, and conversion of comprehensive care beds until July 1, 2003. Provides exceptions for comprehensive care beds that received a certificate of need under prior law or that continue construction under approved plans begun before July 1, 1999.

Effective: Upon passage.

Hasler, Becker, Crosby

January 21, 1999, read first time and referred to Committee on Public Health.

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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.

HOUSE BILL No. 1654

A BILL FOR AN ACT concerning health.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **This SECTION**
2 **does not apply to a comprehensive care bed:**
3 **(1) for which a certificate of need was approved under**
4 **IC 16-29-1 (before its expiration on July 1, 1998);**
5 **(2) that was in the long term care bed inventory as of July 1,**
6 **1998; or**
7 **(3) for which a certificate of need was not approved under**
8 **IC 16-29-1 (before its expiration on July 1, 1998) and that was**
9 **not in the long term care bed inventory as of July 1, 1998, if:**
10 **(A) before July 1, 1999:**
11 **(i) the state department of health and the department of**
12 **fire and building services approve construction plans for**
13 **the project; and**
14 **(ii) the project's foundation is constructed in conformity**
15 **with the approved plans, as certified by an independent**
16 **architect licensed under IC 25-4 or an independent**
17 **professional engineer licensed under IC 25-31; and**
18 **(B) construction work on the project is:**



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(i) continuous; and
(ii) in conformity with the plans approved as of July 1, 1999.

(b) As used in this SECTION, "comprehensive care bed" means a bed that:

- (1) is licensed or is to be licensed under IC 16-28-2;
- (2) functions as a bed that is licensed or is to be licensed under IC 16-28-2; or
- (3) is subject to IC 16-28.

The term does not include a comprehensive care bed that will be used solely to provide specialized services and is subject to IC 16-29.

(c) Comprehensive care beds may not be added or constructed.

(d) Residential beds licensed under IC 16-28-2 and unlicensed beds may not be converted to comprehensive care beds.

(e) Notwithstanding IC 16-29-3, acute care beds may not be converted to comprehensive care beds.

(f) The Indiana health facilities council may not recommend and the state department of health may not approve the certification of comprehensive care beds for participation in a state or federal reimbursement program, including programs under Title XVIII or Title XIX of the Social Security Act (42 U.S.C. 1395 et seq. or 42 U.S.C. 1396 et seq.).

(g) This SECTION expires July 1, 2003.

SECTION 2. An emergency is declared for this act.

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