



Reprinted
February 8, 2000

HOUSE BILL No. 1311

DIGEST OF HB 1311 (Updated February 7, 2000 5:47 PM - DI 77)

Citations Affected: IC 16-28.

Synopsis: Requires a health facility, including state institutions, to make available to residents and other individuals designated by residents certain information regarding staffing levels. Requires the office of Medicaid policy and planning to semi-annually prepare a report regarding staffing levels at health facilities.

Effective: July 1, 2000.

Moses, Brown C, Frizzell

January 11, 2000, read first time and referred to Committee on Public Health.
January 26, 2000, amended, reported — Do Pass.
February 1, 2000, read second time, amended, ordered engrossed.
February 2, 2000, engrossed.
February 7, 2000, read third time, recommitted to Committee of One, amended; passed.
Yeas 97, nays 1.

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HB 1311—LS 7314/DI 77+



Reprinted
February 8, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1311

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 16-28-2-8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2000]: **Sec. 8. (a) As used in this section, "health facility" shall**
4 **include a state institution (as defined by IC 12-7-2-184) and special**
5 **institution under the control of the state health commissioner**
6 **(IC 16-19-6-5).**

7 (b) **A health facility shall post a notice that a resident or other**
8 **individual designated by the resident may request from the licensed**
9 **nurse in charge of each shift information that designates the names**
10 **of all nursing personnel on duty by job classification for the:**

- 11 (1) **wing;**
12 (2) **unit; or**
13 (3) **other area as routinely designated by the health facility;**
14 **where the resident resides.**

15 (c) **The notice required under subsection (b) must meet the**
16 **following conditions:**

- 17 (1) **Be posted in a conspicuous place that is readily**

HB 1311—LS 7314/DI 77+



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accessible to residents and the public.

(2) Be in bold face type at least one-half (1/2) inch in height.

(3) Contain the:

(A) business telephone number of the administrator of the health facility; and

(B) toll free telephone number for filing complaints with the state department.

(4) State that if a resident or other individual designated by the resident is unable to obtain the information described in subsection (b) from the licensed nurse in charge of each shift, the resident or other individual designated by the resident may do any of the following:

(A) Contact the administrator of the health facility.

(B) File a complaint with the state department by using the state department's toll free telephone number.

(d) The state department may adopt rules under IC 4-22-2 to carry out this section.

SECTION 2. IC 16-28-2-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 9. (a) As used in this section, "health facility" shall include a state institution (as defined by IC 12-7-2-184) and special institution under the control of the state health commissioner (IC 16-19-6-5).

(b) The office of Medicaid policy and planning shall produce a statistical report semi-annually for each health facility that lists the following information:

(1) The health facility's case mix index for each quarter covered by the statistical report for which the office of Medicaid policy and planning maintains data.

(2) The number of total hours worked in the health facility by each classification of personnel for which the office of Medicaid policy and planning maintains data.

(3) The resident census of the health facility for which the office of Medicaid policy and planning maintains data.

(4) A calculation of the average case-mix-adjusted hours-per-resident-day ratio for each health facility by each classification of nursing personnel and the average hours-per-resident-day ratio for each health facility for all other personnel by category for which the office of Medicaid policy and planning maintains data.

(c) The office of Medicaid policy and planning shall provide a copy of the statistical report prepared under subsection (b) to the

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- 1 following:
- 2 (1) The health facility.
- 3 (2) The state department.
- 4 (3) The state ombudsman.
- 5 (4) Each area ombudsman.
- 6 (5) Each area agency on aging.
- 7 (d) A health facility shall:
- 8 (1) make available in a place that is readily accessible to
- 9 residents and the public a copy of the statistical report
- 10 prepared under subsection (b); and
- 11 (2) post a notice that a copy of the statistical report may be
- 12 requested from the licensed nurse in charge of each shift.
- 13 (e) The notice required under subsection (d)(2) must meet the
- 14 following conditions:
- 15 (1) Be posted in a conspicuous place that is readily accessible
- 16 to residents and the public.
- 17 (2) Be in bold face type at least one-half (1/2) inch in height.
- 18 (3) Contain the:
- 19 (A) business telephone number of the administrator of the
- 20 health facility; and
- 21 (B) toll free telephone number for filing complaints with
- 22 the state department.
- 23 (4) State that if a resident or other individual designated by
- 24 the resident is unable to obtain the statistical report described
- 25 in subsection (b) from the licensed nurse in charge of each
- 26 shift, the resident or other individual designated by the
- 27 resident may do any of the following:
- 28 (A) Contact the administrator of the health facility.
- 29 (B) File a complaint with the state department by using the
- 30 state department's toll free telephone number.
- 31 (f) The state department may adopt rules under IC 4-22-2 to
- 32 carry out this section.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1311, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1311 as introduced.)

BROWN C, Chair

Committee Vote: yeas 14, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1311 be amended to read as follows:

Page 1, line 3, after "(a)" insert "**As used in this SECTION, "health facility" shall include a state institution (as defined by IC 12-7-2-184) and special institution under the control of the state health commissioner (IC 16-19-6-5).**" and delete "A health facility shall post a notice that a".

Page 1, line 4, begin a new paragraph and insert: "**(b) A health facility shall post a notice that a**".

Page 1, line 12, delete "(b)" and insert "(c)".

Page 2, line 13, delete "(c)" and insert "(d)".

Page 2, line 17, after "(a)" insert "**As used in this SECTION, "health facility" shall include a state institution (as defined by IC 12-7-2-184) and special institution under the control of the state health commissioner (IC 16-19-6-5).**" and delete "The office of Medicaid policy and planning shall."

Page 2, line 18, before "produce" begin a new paragraph and insert: "**(b) The office of Medicaid policy and planning shall**".

Page 2, line 34, delete "(b)" and insert "(c)".

Page 2, line 42, delete "(c)" and insert "(d)".

Page 3, line 6, delete "(d)" and insert "(e)".

Page 3, line 24, delete "(e)" and insert "(f)".

(Reference is to HB 1311 as printed January 27, 2000.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1311 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

- Page 1, line 3, delete "SECTION" and insert "section".
- Page 1, line 15, delete "(a)" and insert "**(b)**".
- Page 2, line 10, delete "(a)" and insert "**(b)**".
- Page 2, line 13, delete "(i)" and insert "**(A)**".
- Page 2, line 14, delete "(ii)" and insert "**(B)**".
- Page 2, line 20, delete "SECTION" and insert "**section**".
- Page 2, line 42, delete "(a)" and insert "**(b)**".
- Page 3, line 10, delete "(a)" and insert "**(b)**".
- Page 3, line 13, delete "(c)(2)" and insert "**(d)(2)**".
- Page 3, line 25, delete "(a)" and insert "**(b)**".
- Page 3, line 28, delete "(i)" and insert "**(A)**".
- Page 3, line 29, delete "(ii)" and insert "**(B)**".

(Reference is to HB 1311 as reprinted February 2, 2000.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1311, begs leave to report that said bill has been amended as directed.

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