

# HOUSE BILL No. 1764

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-10-3-6.

**Synopsis:** Medical care to prisoners. Requires an independent medical review committee to review the sufficiency of medical care contracts entered into or renewed by the department of correction and related medical directives adopted by the department of correction to determine whether the proposed contract and directives are sufficient to ensure that a qualified medical professional providing services under the proposed contract will be able to provide services in conformity with the standard of care that the qualified medical professional is required to meet in the provision of medical care in Indiana.

**Effective:** July 1, 2001.

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January 17, 2001, read first time and referred to Committee on Human Affairs.

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First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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## HOUSE BILL No. 1764



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

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

1 SECTION 1. IC 11-10-3-6 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2001]: **Sec. 6. (a) The department shall submit:**  
4 (1) **all proposed contracts for the provision of medical care to**  
5 **be provided to committed individuals, including treatment for**  
6 **mental retardation, alcoholism, and drug addiction; and**  
7 (2) **a copy of the latest directives adopted under section 4 of**  
8 **this chapter;**  
9 **to the state health commissioner of the state board of health at least**  
10 **ninety (90) days before soliciting a contractor to provide services**  
11 **under the contract.**  
12 (b) **Upon receiving the proposed contract and directives under**  
13 **subsection (a) the state health commissioner shall appoint an**  
14 **independent medical review committee to review the terms of the**  
15 **proposed contract and the directives. The appointed committee**  
16 **must have three (3) members who are qualified medical**  
17 **professionals.**



1 (c) The appointed committee shall review the proposed contract  
2 and directives to determine whether the terms of the proposed  
3 contract and directives are sufficient to ensure that a qualified  
4 medical professional providing services under the proposed  
5 contract will be able to provide services in conformity with the  
6 standard of care that the qualified medical professional is required  
7 to meet in the provision of medical care in Indiana. The medical  
8 review committee shall issue a written determination not more  
9 than thirty (30) days after the state health commissioner receives  
10 the proposed contract and directives under subsection (a). The  
11 medical review committee may include recommendations to the  
12 department.

13 (d) The medical review committee shall report any findings of  
14 insufficiency to the department and the state health commissioner.

15 (e) The department may not enter into a contract to provide  
16 medical services to offenders until:

17 (1) the department has complied with subsection (a); and

18 (2) either:

19 (A) a medical review committee established under  
20 subsection (b) has determined that the proposed contract  
21 and the directives adopted under section 4 of this chapter  
22 are sufficient to ensure that a qualified medical  
23 professional providing services under the proposed  
24 contract will be able to provide services in conformity with  
25 the standard of care that the qualified medical professional  
26 is required to meet in the provision of medical care in  
27 Indiana; or

28 (B) ninety (90) days have elapsed after the department has  
29 complied with subsection (a), if a medical review  
30 committee has taken no action to comply with subsections  
31 (c) and (d).

32 SECTION 2. [EFFECTIVE JULY 1, 2001] IC 11-10-3-6, as added  
33 by this act, applies only to contracts for medical care entered into  
34 or renewed by the department of correction after October 1, 2001.

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