
HOUSE BILL No. 1661

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-28.

Synopsis: Nursing home complaints. Allows a person who complained of an offense or deficiency by a health facility to have the results of the investigation reviewed. Provides that a health facility that does not provide health records of a deceased patient to a person entitled to the information commits a breach for noncompliance.

Effective: July 1, 2003.

Day

January 21, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1661



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 16-28-4-7 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. ~~Upon request of the~~
- 3 ~~alleging party~~ (a) The director shall ~~report~~ **provide a written response**
- 4 to the alleging party or the alleging party's designated relative, friend,
- 5 or legal representative concerning the results of the investigation and
- 6 the action taken.
- 7 (b) **The written response under subsection (a) must inform the**
- 8 **alleging party of the following:**
- 9 (1) **That a copy of the surveyor notes and investigative report**
- 10 **of the results of the licensure inspection related to the**
- 11 **complaint is available upon request.**
- 12 (2) **The manner in which to request the information described**
- 13 **in subdivisions (1).**
- 14 (3) **The manner, including any time requirements, in which**
- 15 **the alleging party may request a review of the results of the**
- 16 **investigation.**
- 17 (c) **The state department shall adopt rules under IC 4-22-2 to**



1 provide for a review requested under this section for the
2 reconsideration of the results of an investigation of an alleged
3 breach under this article. The review must be conducted by
4 individuals who were not involved in conducting or reviewing the
5 initial investigation.

6 (d) The results of a review conducted under subsection (c) must
7 be mailed to the alleging party not more than sixty (60) days after
8 a request for a review has been made.

9 SECTION 2. IC 16-28-5-11 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2003]: **Sec. 11. A health facility that does not provide health
12 records as required under IC 16-39-1-3(c) commits a breach that
13 is classified as a noncompliance under this chapter.**

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