

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 292, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 5, begin a new paragraph and insert:
2 "SECTION 1. IC 16-22-3-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) The governing
4 board is the supreme authority in a hospital and is responsible for the
5 management, control, and operation of the hospital. The board has the
6 powers and duties set forth in this chapter.
7 (b) The governing board has the powers granted to boards of
8 nonprofit corporations under IC 23-17, including the powers to:
9 (1) join or sponsor membership in organizations and associations
10 that benefit hospitals;
11 (2) enter into partnerships and joint ventures;
12 (3) incorporate other corporations; ~~and~~
13 (4) offer to the general public products and services of any
14 organization, association, partnership, or corporation described
15 under this subsection; **and**
16 **(5) own or operate health facilities located inside or outside**
17 **the county;**
18 except to the extent the powers are inconsistent with this article or are
19 specifically prohibited by law.
20 (c) In construing subsection (b), the existence of the authority or a
21 power shall be determined in favor of the hospital if generally

1 authorized or existing under IC 23-17. A resolution of the governing
 2 board is presumptive evidence of the existence of the hospital's power
 3 under IC 23-17.

4 (d) The governing board may appoint and specify the privileges of
 5 the medical staff, with the advice and recommendations of the medical
 6 staff in accordance with section 9 of this chapter. The medical staff is
 7 responsible to the board for the clinical and scientific work of the
 8 hospital and shall advise the board regarding professional problems and
 9 policies.

10 **(e) Beginning October 1, 2009, a health facility that became**
 11 **owned or operated by or on behalf of a county hospital after June**
 12 **30, 2003, shall pay the health facility quality assessment fee at the**
 13 **same rate as a health facility that is not operated by a nonstate**
 14 **government owned or operated entity."**

15 Page 1, after line 17, begin a new paragraph and insert:

16 "SECTION 3. IC 16-22-8-39 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 39. (a) A hospital
 18 owned, operated, or managed by the corporation shall be for the benefit
 19 of the residents of the county and of every person who becomes sick,
 20 injured, or maimed within the county.

21 (b) A patient who is able to pay shall pay to the corporation a
 22 reasonable compensation for medicine or hospital services according
 23 to the rules prescribed by the board. The board or the board's
 24 authorized representative may exclude from the hospital a person who
 25 willfully violates the rules. On terms and conditions the board
 26 prescribes, the corporation may:

27 (1) extend the privileges and use of the hospital, the corporation's
 28 health care programs, and health care facilities to persons residing
 29 outside of the county; and

30 (2) own or operate ~~nursing~~ **health** facilities located inside or
 31 outside of the county.

32 (c) There may not be discrimination against practitioners of any
 33 school of medicine holding unlimited licenses to practice medicine
 34 recognized in Indiana. The licensed practitioners are entitled to equal
 35 privileges in treating patients in the hospital.

36 **(d) Beginning October 1, 2009, a health facility that became**
 37 **owned or operated under subsection (b) after June 30, 2003, shall**
 38 **pay the health facility quality assessment fee at the same rate as a**

1 **health facility that is not owned or operated by a nonstate**
2 **government owned or operated entity."**

3 Renumber all SECTIONS consecutively.
(Reference is to SB 292 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 6, Nays 3.

Senator Miller, Chairperson