



March 15, 2013

ENGROSSED
SENATE BILL No. 265

DIGEST OF SB 265 (Updated March 13, 2013 5:09 pm - DI 77)

Citations Affected: IC 34-6.

Synopsis: Health care provider peer review committees. Amends the definition of "professional health care provider" for purposes of the law concerning privileged communications of peer review committees.

Effective: July 1, 2013.

Miller Patricia, Miller Pete, Stoops

(HOUSE SPONSOR — FRIZZELL)

January 8, 2013, read first time and referred to Committee on Health and Provider Services.

January 24, 2013, amended, reported favorably — Do Pass.

January 28, 2013, read second time, ordered engrossed.

January 29, 2013, engrossed.

January 31, 2013, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2013, read first time and referred to Committee on Public Health.

March 14, 2013, reported — Do Pass.

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ES 265—LS 6525/DI 97+



March 15, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 265

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

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

- 1 SECTION 1. IC 34-6-2-116 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 116. "Professional
3 health care organization", for purposes of IC 34-30-15, refers to an
4 organization described in section 117(14) **or 117(25)** of this chapter.
5 SECTION 2. IC 34-6-2-117, AS AMENDED BY P.L.197-2007,
6 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2013]: Sec. 117. "Professional health care provider", for
8 purposes of IC 34-30-15, means:
9 (1) a physician licensed under IC 25-22.5;
10 (2) a dentist licensed under IC 25-14;
11 (3) a hospital licensed under IC 16-21;
12 (4) a podiatrist licensed under IC 25-29;
13 (5) a chiropractor licensed under IC 25-10;
14 (6) an optometrist licensed under IC 25-24;
15 (7) a psychologist licensed under IC 25-33;
16 (8) a pharmacist licensed under IC 25-26;
17 (9) a health facility licensed under IC 16-28-2;

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- 1 (10) a registered or licensed practical nurse licensed under
 2 IC 25-23;
 3 (11) a physical therapist licensed under IC 25-27;
 4 (12) a home health agency licensed under IC 16-27-1;
 5 (13) a community mental health center (as defined in
 6 IC 12-7-2-38);
 7 (14) a health care organization whose members, shareholders,
 8 **subsidiaries, affiliates, or partners are:**
 9 (A) professional health care providers described in
 10 subdivisions (1) through (13);
 11 (B) professional corporations comprised of health care
 12 professionals (as defined in IC 23-1.5-1-8); or
 13 (C) professional health care providers described in
 14 subdivisions (1) through (13) and professional corporations
 15 comprised of persons described in subdivisions (1) through
 16 (13);
 17 (15) a private psychiatric hospital licensed under IC 12-25;
 18 (16) a preferred provider organization (including a preferred
 19 provider arrangement or reimbursement agreement under
 20 IC 27-8-11);
 21 (17) a health maintenance organization (as defined in
 22 IC 27-13-1-19) or a limited service health maintenance
 23 organization (as defined in IC 27-13-34-4);
 24 (18) a respiratory care practitioner licensed under IC 25-34.5;
 25 (19) an occupational therapist licensed under IC 25-23.5;
 26 (20) a state institution (as defined in IC 12-7-2-184);
 27 (21) a clinical social worker who is licensed under
 28 IC 25-23.6-5-2;
 29 (22) a managed care provider (as defined in IC 12-7-2-127(b));
 30 (23) a nonprofit health care organization affiliated with a hospital
 31 that is owned or operated by a religious order, whose members are
 32 members of that religious order; **or**
 33 (24) a nonprofit health care organization with one (1) or more
 34 hospital affiliates; **or**
 35 **(25) a health care organization that owns or controls, in whole**
 36 **or in part, one (1) or more entities described in subdivisions**
 37 **(1) through (24).**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 265, 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:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 34-6-2-116 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 116. "Professional health care organization", for purposes of IC 34-30-15, refers to an organization described in section 117(14) **or 117(25)** of this chapter."

Page 2, line 28, strike "or".

Page 2, line 30, delete "." and insert "; **or**".

Page 2, after line 30, begin a new line block indented and insert:

"(25) a health care organization that owns or controls, in whole or in part, one (1) or more entities described in subdivisions (1) through (24)."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 265 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 8, Nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 265, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CLERE, Chair

Committee Vote: yeas 11, nays 0.

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