

SENATE BILL No. 453

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-94.5; IC 16-46-8-11.

Synopsis: Dialysis facility backup generators. Requires certain dialysis facilities to install and maintain backup emergency generators. Requires the state department of health to adopt guidelines concerning the installation, capacity, testing, and use of backup emergency generators. Requires the state department of health to submit a report to the general assembly concerning compliance.

Effective: July 1, 2013.

Breaux

January 10, 2013, read first time and referred to Committee on Health and Provider Services.

C
O
P
Y



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.

C
o
p
y

SENATE BILL No. 453



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 16-18-2-94.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2013]: **Sec. 94.5. "Dialysis facility" for**
4 **purposes of IC 16-46-8-11, has the meaning set forth in**
5 **IC 16-46-8-11(a).**

6 SECTION 2. IC 16-46-8-11 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2013]: **Sec. 11. (a) As used in this section, "dialysis facility"**
9 **means an outpatient facility that provides:**

- 10 (1) **dialysis treatment on an outpatient basis; or**
- 11 (2) **training for home dialysis treatment.**

12 **The term does not include a dialysis facility at a hospital.**

13 (b) **Beginning July 1, 2014, a dialysis facility must do the**
14 **following:**

- 15 (1) **Have a backup emergency generator with sufficient**
16 **capacity to:**
 - 17 (A) **provide electricity necessary to sustain dialysis**



- 1 treatments; and
- 2 (B) maintain water pressure levels required to operate the
- 3 facility's dialysis treatment system.
- 4 (2) Maintain enough fuel on the premises to maintain
- 5 operation of the backup emergency generator for at least
- 6 forty-eight (48) hours.
- 7 (3) Test the backup emergency generator by operating it for
- 8 at least thirty (30) minutes every month.
- 9 (c) Before January 1, 2014, the state department:
- 10 (1) shall adopt guidelines; and
- 11 (2) may adopt rules under IC 4-22-2;
- 12 concerning the installation, capacity, testing, and use of backup
- 13 emergency generators required under this section.
- 14 (d) Before January 1, 2015, the state department shall submit a
- 15 report to the general assembly that identifies each dialysis facility
- 16 operating in Indiana and each facility's level of compliance with
- 17 this section. The report must be in an electronic format under
- 18 IC 5-14-6.

C
O
P
Y

