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**TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES**

**Notice of Intent to Adopt a Rule**

LSA Document #11-333

Under [IC 4-22-2-23](#), the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

**OVERVIEW:** Adds [405 IAC 1-22](#) to clarify that (1) any "entity that performs abortions or maintains or operates a location where abortions are performed" under [IC 5-22-17-5.5\(b\)](#) does not include a separate affiliate of such entity, if the entity does not benefit, even indirectly, from government contracts or grants awarded to the separate affiliate; and (2) a licensed physician performing an abortion in a hospital licensed under [IC 16-21-2](#) or in an ambulatory surgical center licensed under [IC 16-21-2](#) falls within the exemption set forth in [IC 5-22-17-5.5\(a\)](#). Comments and questions may be addressed to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 5-22-3-3](#); [IC 12-8-6-5](#); [IC 12-15-1-10](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Barbara Nardi  
Indiana Family and Social Services Administration  
Indiana Government Center South  
402 W. Washington St., Room W451, Room OGC - Legal  
Indianapolis, IN 46204  
(317) 232-1282  
[barbara.nardi@fssa.in.gov](mailto:barbara.nardi@fssa.in.gov)

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Ryan Asberry  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 232-8962  
[smallbizombudsman@iedc.in.gov](mailto:smallbizombudsman@iedc.in.gov)

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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