

Notice of Public Comment Period for Rule Readoption

LSA Document #23-653

Readopts rules in anticipation of [IC 4-22-2.6](#), providing that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the fifth year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the publisher.

STATUTORY AUTHORITY: [IC 16-21-2-12](#)

OVERVIEW

Rules to be readopted without changes are as follows:

[410 IAC 15-5-1](#) Hospital license fees

[410 IAC 15-5-2](#) Ambulatory outpatient surgical center license fees

[410 IAC 15-5-4](#) Birthing center license fees

Rules to be repealed without changes are as follows:

None

SUMMARY OF FINDINGS UNDER [IC 4-22-2.6-4](#)

[IC 16-21-2-12](#) requires the Indiana Department of Health to set licensing fees for hospitals, ambulatory outpatient surgical centers, and birthing centers. This rule includes fees that regulated entities can calculate based on the rule. The fee is a sliding scale based on total operating expenses for hospitals and the number of procedures performed for other facilities. The fee is reasonable as it is proportional to the size of the hospital based on the facility's operating costs, or the number of procedures performed by other facilities, and was calculated to offset survey inspection costs. The rule imposes fees in the least restrictive manner possible. There have been no complaints or comments received from the public regarding this rule. The rule is written for ease of comprehension and has practicable enforcement.

REQUEST FOR PUBLIC COMMENTS

At this time, the Indiana Department of Health solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:

LSA Document #23-653

Kendra Harper

Indiana Department of Health

2 North Meridian Street

Indianapolis, IN 46204

- (2) By electronic mail to rulepubliccomments@health.in.gov. Include "[410 IAC 15-5](#) Comments" in the subject line. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the address indicated in this notice.**

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than October 13, 2023.

Posted: 09/13/2023 by Legislative Services Agency

An [html](#) version of this document.