

## **ARTICLE 14. HOSPITAL AND HEALTH CENTER PLANNING AND CONSTRUCTION**

### **Rule 1. Application for Aid for Hospital or Health Center Construction Projects, Hearing and Review**

#### **410 IAC 14-1-1 Initial decision by designated hearing member**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 1. The initial decision in any hearing upon an application for aid for a hospital or health center construction project under the provisions of Chapter 101 of the Acts of 1945, as amended by Chapter 173 of the Acts of 1947, may be recommended by such hearing member of the Indiana State Board of Health or officer or employee of the Indiana State Board of Health as shall be so designated by the Indiana State Board of Health. (*Indiana State Department of Health; Reg HPC 1; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 306; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

#### **410 IAC 14-1-2 Submission of hearing member's recommendation**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 2. The recommendation of the person so designated as hearing member shall be submitted to the State Board of Health and adopted or rejected at the next meeting of the Indiana State Board of Health. (*Indiana State Department of Health; Reg HPC 2; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 306; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

#### **410 IAC 14-1-3 Applicant's opportunity for hearing and review**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 3. Any applicant who is aggrieved by an initial decision of the State Board of Health shall be given an opportunity for a hearing and review of the decision before the Board or such section of the Board, not less than three in number, as shall be designated by a resolution of the Board for that purpose. (*Indiana State Department of Health; Reg HPC 3; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 306; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

#### **410 IAC 14-1-4 Grounds for review and hearing**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 4. The following grounds will be sufficient to entitle an applicant to a review and hearing:

- (a) Denial of opportunity to make formal application.
- (b) Rejection or disapproval of application.
- (c) Refusal to reconsider an application.

(*Indiana State Department of Health; Reg HPC 4; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 306; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

#### **410 IAC 14-1-5 Filing of request for review**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 5. Requests for review of decisions or actions of the Indiana State Board of Health must be made by the applicant, in writing, within 30 days from the date of the adverse decision by the Indiana State Board of Health. (*Indiana State Department of Health; Reg HPC 5; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-6 Notice of hearing**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 6. The applicant who has requested a review and hearing will be notified in writing of the time and place of hearing by the Indiana State Board of Health, such time and place to be reasonably convenient for the applicant. (*Indiana State Department of Health; Reg HPC 6; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-7 Representation at hearing; admissibility of evidence**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 7. The applicant who has requested a review and hearing is entitled to be represented by friends or counsel, if he so desires. The applicant and other persons interested and concerned with the Indiana State Board of Health's decision are entitled to present pertinent evidence in the way desired subject to reasonable procedures of admissibility and methods of presentation. (*Indiana State Department of Health; Reg HPC 7; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-8 Right to examination of evidence and witnesses**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 8. The applicant is entitled to examine all evidence and to question opposing witnesses. (*Indiana State Department of Health; Reg HPC 8; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-9 Presiding officer**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 9. Whenever practicable, the presiding officer will be an official in a responsible position who did not participate in the action from which the appeal is made. (*Indiana State Department of Health; Reg HPC 9; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-10 Decision of board**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 10. The decision of the Indiana State Board of Health will be made in writing within 30 days from the date of the hearing, and will be based on the evidence presented at the hearing. (*Indiana State Department of Health; Reg HPC 10; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 307; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

**410 IAC 14-1-11 Transcript of hearing**

Authority: IC 16-19-3-5

Affected: IC 16-45

Sec. 11. A stenographic record of the hearing will be made, and, upon request of the applicant, will be transcribed and made available for examination. (*Indiana State Department of Health; Reg HPC 11; filed Aug 5, 1947, 11:30 am: Rules and Regs. 1948, p. 308; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

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