



**Indiana
Department
of
Health**



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Guidance Regarding the Implementation of the Temporary Health Care Services Agency Registry Under House Enrolled Act 1461 – 2023

Under House Enrolled Act 1461 (2023), the Indiana Department of Health is responsible for administering a registry for temporary healthcare services agencies. Agencies are required to register with IDOH beginning July 1, 2023. IDOH is providing this guidance to provide clarity to the regulated community.

A temporary healthcare services agency is required to register with IDOH, pay a \$150 registration fee, provide information related to the business ownership and structure, and provide a “schedule or description of all fees, charges, or commissions that the temporary healthcare services agency expects to charge and collect for services.” A “temporary healthcare services agency” is defined as a person or business “engaged for hire in the business of providing or procuring temporary employment in healthcare facilities for healthcare personnel.”

HEA 1461 did not define “temporary employment” nor provide any information as to what is required to be included in the “schedule or description of all fees, charges, or commissions.” Because defining these terms would provide clarity to the regulated community, IDOH is providing the guidance below:

IDOH interprets “temporary employment,” for purposes of the temporary healthcare services agency registry, to mean employment with an undefined duration or an expected duration of less than two years.

IDOH interprets “schedule or description of all fees, charges, or commissions,” for the purposes of the temporary healthcare services agency registry, to mean a general schedule of fees, charges, or commissions that a temporary healthcare services agency expects to charge. A price range of fees, charges, or commissions that an agency may charge over the course of the registration period specific to each healthcare personnel type an agency employs (i.e., registered nurse, nurse aide, etc.) is sufficient to meet this requirement. Exact fees, charges, or commissions on a per-position basis are not required.

IDOH interprets “refer a health care personnel to a health care facility,” as that phrase is used in Ind. Code § 16-52-3-2(a), for purposes of the temporary healthcare services agency registry, to mean to send a health care personnel to work at a health care facility for the first time.

Effective Date: July 1, 2023, updated February 22, 2024.

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