



Eric J. Holcomb
Governor

Lindsay M. Weaver, MD, FACEP
State Health Commissioner

DATE: January 3, 2025

TO: Executive Board
Indiana Department of Health

FROM: Jordan Stover
Assistant Commissioner
Consumer Services & Health Care Regulation

RE: Site of Service Rule

The Indiana Department of Health (IDOH) is presenting the Site of Service rule to Executive Board for discussion. In 2023, the Indiana Legislature passed P.L. 203-2023, adding a new Indiana Code section regulating health care billing by certain nonprofit hospitals which earn more than \$2,000,000,000 in revenue. Specifically, the statute prohibits using an institutional provider form for billing if the health care services are provided more than 250 yards from the main building of a hospital. Billing for those services are considered being done in an office setting and must be done on an individual provider form. This law is effective as of January 1, 2025.

IDOH has the authority to promulgate rules to enforce the statute though it does not specify any specific enforcement authority. This draft rule is intended to clarify issues of concern from the regulated community. IDOH has included definitions of terms in accordance with federal billing laws to clarify exempt facilities and to address remote locations based on Indiana licensure laws. The rule also requires hospitals to submit a list of their facilities that are subject to billing on the individual provider form to IDOH and insurance companies, if asked. It prohibits hospitals from billing facility fees on the individual provider form. Finally, the rule uses the existing dispute resolution processes and remedies in the contracts/existing law between the parties for resolution of disputes arising from this chapter.

The IDOH submitted this rule for OMB/SBA review on December 27, 2025.

To **promote**, **protect**, and **improve** the health and safety of all Hoosiers.