

**IC 16-20-8**

## Chapter 8. Food Service Inspections

**IC 16-20-8-1****"Checklist" defined**

Sec. 1. As used in this chapter, "checklist" refers to a food service establishment inspection report checklist form prepared by the state department.

*As added by P.L.2-1993, SEC.3.*

**IC 16-20-8-2****"Narrative report" defined**

Sec. 2. As used in this chapter, "narrative report" refers to a food service establishment inspection report narrative form prepared by the state department.

*As added by P.L.2-1993, SEC.3.*

**IC 16-20-8-3****Checklist explaining narrative report**

Sec. 3. Whenever an authorized representative of a local health department or the state department uses a checklist, the representative must complete a narrative report that explains the checklist.

*As added by P.L.2-1993, SEC.3.*

**IC 16-20-8-4****Narrative report; time for completion**

Sec. 4. The narrative report required under this chapter must be completed at the same time the checklist is completed.

*As added by P.L.2-1993, SEC.3.*

**IC 16-20-8-5****Inspection report review; written response**

Sec. 5. Except as provided in section 8 of this chapter, a food service establishment that is the subject of inspection reports such as checklists or narrative reports must have an opportunity to review the reports and submit to the local health department a written response to the reports. If a written response is submitted to the local health department:

(1) within the time stated for abatement of the alleged violations; or

(2) within ten (10) calendar days after the completion of the inspection reports;

whichever is earlier, the written response must be attached to and becomes part of the inspection reports.

*As added by P.L.2-1993, SEC.3. Amended by P.L.190-1995, SEC.2.*

**IC 16-20-8-6****Inspection and copying of documents**

Sec. 6. After the checklist, the narrative report, and the written

response are completed, the checklist, the narrative report, and the written response may be inspected and copied under IC 5-14-3.

*As added by P.L.2-1993, SEC.3.*

#### **IC 16-20-8-7**

##### **Inspection and copying of checklist and narrative report in absence of written response**

Sec. 7. If a written response is not submitted within the time described in section 5 of this chapter, the checklist and the narrative report may be inspected and copied under IC 5-14-3 immediately after the expiration of that period of time.

*As added by P.L.2-1993, SEC.3.*

#### **IC 16-20-8-8**

##### **Immediate inspection and copying of checklist and narrative report; conditions**

Sec. 8. Notwithstanding sections 6 and 7 of this chapter, the checklist, the narrative report, and the related public records may upon completion be inspected and copied under IC 5-14-3 if a local health department takes any of the following actions with respect to a food service establishment that is the subject of the records:

- (1) Schedules a hearing by the local health department or a designee.
- (2) Orders closure.
- (3) Requests revocation of a permit.
- (4) Finds the existence of an imminent danger to public health or a gross deception of or fraud upon the consumer.

*As added by P.L.2-1993, SEC.3. Amended by P.L.190-1995, SEC.3.*

#### **IC 16-20-8-9**

##### **Forms**

Sec. 9. The state department shall provide to local health departments the forms used under this chapter.

*As added by P.L.2-1993, SEC.3.*