

IC 16-30

ARTICLE 30. HEALTH PLANNING

IC 16-30-1

Chapter 1. Health Planning Functions of the State Department of Health

IC 16-30-1-1

Health planning and resource development

Sec. 1. The state department shall carry out health planning and resources development responsibilities and functions within Indiana. The state department shall do the following in the state department's planning activities:

- (1) Promote health and wellness activities.
- (2) Encourage the prevention of disease.
- (3) Encourage innovations in the financing and delivery systems for health services.
- (4) Foster competition.
- (5) Consider the accessibility and quality of health care services.

As added by P.L.2-1993, SEC.13.

IC 16-30-2

Chapter 2. Health Needs Assessment

IC 16-30-2-1

Health needs assessment; reports

Sec. 1. (a) The state department shall identify and assess the health needs of the citizens and communities of Indiana.

(b) The state department shall submit annually to the governor and to the general assembly a report of the health needs and the state department's recommendations. Each report must be submitted by November 1 of each year. A report submitted to the general assembly must be in an electronic format under IC 5-14-6.

(c) The report required by subsection (b) must address, on a county by county basis, the health needs of Indiana concerning the provision of the following types of services:

- (1) Public health services described in this title.
- (2) Disease treatment services described in IC 16-45 and IC 16-46.
- (3) Food and drug control services described in IC 16-42 and IC 16-43.
- (4) All other services within the jurisdiction of the state department.

(d) The report required by subsection (b) must, under section 4 of this chapter, assess the adequacy of the existing number of beds in health care facilities and the need for the addition of beds.

As added by P.L.2-1993, SEC.13. Amended by P.L.28-2004, SEC.137.

IC 16-30-2-2

Assessment factors

Sec. 2. The state department shall consider the following factors in assessing the health needs of the citizens and communities of Indiana:

- (1) The availability of alternative, less costly, or more effective methods of providing services.
- (2) The availability of resources, including health manpower, management personnel, and funds for capital and operating needs for sources to meet the identified need.
- (3) The availability of alternative uses of available resources for the provision of other health care services.
- (4) The capacity of existing market conditions to improve quality assurance, cost containment, and responsiveness to consumer's preferences.
- (5) The capacity of existing public or private reimbursement and utilization review programs, and other public and private cost control measures, to give effect to consumer preferences and establish appropriate incentives for capital allocation.
- (6) The competitive factors of the free enterprise system, with

the goal of encouraging competition and efficiency in the utilization of health resources.

As added by P.L.2-1993, SEC.13.

IC 16-30-2-3

Consultation with public and private agencies and organizations

Sec. 3. In assessing the health needs of Indiana under this chapter, the state department shall consult with and take into consideration the findings and recommendations of public or nonprofit private agencies and organizations that assume any responsibility for regional, metropolitan, or local health planning regarding the health needs for that regional, metropolitan, or local area. The state department may determine the agencies or organizations that best represent the community interests, including interests of the indigent, in advising the state department with regard to the identification of health needs.

As added by P.L.2-1993, SEC.13.

IC 16-30-2-4

Adequacy of number of beds; comprehensive care beds

Sec. 4. (a) Subsection (b) does not apply to the addition of comprehensive care beds described under IC 16-29-2.

(b) Except as provided in subsection (c), for purposes of the health needs reports, when determining the adequacy of the existing number of beds:

(1) that are located in a health care facility licensed under:

(A) IC 16-21-2; or

(B) IC 16-28-2; and

(2) that function as beds licensed under IC 16-28-2;

the state department may determine that if the utilization rate of all the beds in a county is not more than ninety percent (90%), the existing number of the beds in the county is adequate.

(c) The state department shall identify and assess the need for the addition of comprehensive care beds that are used solely to provide specialized services described under IC 16-29-2.

As added by P.L.2-1993, SEC.13.

IC 16-30-3

Chapter 3. State Health Plan

IC 16-30-3-1

State health plan

Sec. 1. The state department shall develop and promote a state health plan and recommend to the governor and the general assembly means by which programs and activities can be developed and implemented to effectively and efficiently meet the identified needs.
As added by P.L.2-1993, SEC.13.

IC 16-30-4

Chapter 4. Allocation of Resources

IC 16-30-4-1

AIDS prevention; allocation of resources

Sec. 1. The state department shall consider the following factors in determining the allocation to a political subdivision of resources or funds that are appropriated from the general fund to the state department for the prevention of the spread of acquired immune deficiency syndrome (AIDS):

- (1) The population size.
- (2) The reported incidence of the human immunodeficiency virus (HIV).
- (3) The availability of resources.

As added by P.L.2-1993, SEC.13.

IC 16-30-5
Chapter 5. Penalties

IC 16-30-5-1
Violations

Sec. 1. (a) Except as otherwise provided, a person who recklessly violates or fails to comply with this article commits a Class B misdemeanor.

(b) Each day a violation continues constitutes a separate offense.
As added by P.L.2-1993, SEC.13.