

Proposed Rule
LSA Document #22-74

DIGEST

Adds [410 IAC 41](#) to clarify requirements for reporting of abortion complications as required by [IC 16-34-2-4.7](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[410 IAC 41](#)

SECTION 1. [410 IAC 41](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 41. ABORTION COMPLICATIONS REPORTING

Rule 1. Definitions

[410 IAC 41-1-1](#) Applicability

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 16-34-2-4.7](#)

Sec. 1. The definitions in this rule apply throughout this article.

(Indiana Department of Health; [410 IAC 41-1-1](#))

[410 IAC 41-1-2](#) "Abortion complication" defined

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 16-34-2-4.7](#)

Sec. 2. "Abortion complication" means a condition listed in [IC 16-34-2-4.7](#) that, in the reasonable medical judgment of the treating provider, arises from the induction or performance of an abortion.

(Indiana Department of Health; [410 IAC 41-1-2](#))

[410 IAC 41-1-3](#) "Department" defined

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 16-34-2-4.7](#)

Sec. 3. "Department" means the Indiana department of health.

(Indiana Department of Health; [410 IAC 41-1-3](#))

[410 IAC 41-1-4](#) "Facility" defined

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 16-21-2-2.5](#); [IC 16-34-2-4.7](#)

Sec. 4. "Facility" means the following:

(1) A hospital licensed under [IC 16-21](#).

(2) An abortion clinic licensed under [IC 16-21-2-2.5](#).

(Indiana Department of Health; [410 IAC 41-1-4](#))

Rule 2. Abortion Complications Reporting

[410 IAC 41-2-1](#) Reporting complications

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 25-22.5](#); [IC 16-34-2-4.7](#)

Sec. 1. (a) The following persons shall report to the department each case in which the person treated a patient suffering from an abortion complication:

- (1) A physician licensed under [IC 25-22.5](#).
- (2) A facility.

(b) In the case of a physician treating a patient at a facility, the physician and the facility are not required to separately report the same abortion complication. The physician and the facility must have a process in place to assure that the required report is made in compliance with this rule and [IC 16-34-2-4.7](#).

(Indiana Department of Health; [410 IAC 41-2-1](#))

[410 IAC 41-2-2](#) Submission and contents of report

Authority: [IC 16-34-2-4.7](#)

Affected: [IC 16-34-2-4.7](#)

Sec. 2. (a) A report of an abortion complication shall be submitted to the department within thirty (30) calendar days of the date of the onset of treatment for the reported complication.

(b) The report shall:

- (1) include the information required by [IC 16-34-2-4.7](#); and
- (2) be made on the form prescribed by the department.

(c) A new report shall be made for any follow-up visits in which a new abortion complication is diagnosed and treated. The new report shall be submitted within thirty (30) days of the follow-up visit.

(Indiana Department of Health; [410 IAC 41-2-2](#))

[Notice of Public Hearing](#)

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