
Emergency Rules

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #01-416(E)

DIGEST

Temporarily adds rules concerning instant game number 566.
Effective November 30, 2001.

SECTION 1. The name of this instant game is "Instant Game Number 566, Cool Cash Doubler".

SECTION 2. Instant tickets in instant game number 566 shall sell for one dollar (\$1) per ticket.

SECTION 3. Each instant ticket in instant game number 566 shall contain nine (9) play symbols and play symbol captions in the game play data area all concealed under a large spot of latex material. The play symbols and play symbol captions in instant game number 566 shall consist of the following possible play symbols and play symbol captions:

- (1) **\$1.00**
ONE
- (2) **\$2.00**
TWO
- (3) **\$4.00**
FOUR
- (4) **\$5.00**
FIVE
- (5) **\$10.00**
TEN
- (6) **\$20.00**
TWENTY
- (7) **\$50.00**
FIFTY
- (8) **\$500**
FIVE HUN
- (9) **\$\$**
DOUBLE

SECTION 4. The holder of a ticket in instant game number 566 shall remove the latex material covering the nine (9) play symbols and play symbol captions. If three (3) matching play symbols and play symbol captions are exposed, the holder is entitled to a prize of the matched amount. If two (2) matching play symbols and play symbol captions and the play symbol "\$\$" are exposed, the holder is entitled to a prize of double the matched prize amount. The prize amounts and number of winners in instant game number 566 are as follows:

Matched Play Symbols	Prize Amount	Approximate Number of Winners
3 – \$1.00	\$1	744,000
2 – \$1.00 + \$\$	\$2	60,000

3 – \$2.00	\$2	60,000
2 – \$2.00 + \$\$	\$4	36,000
3 – \$4.00	\$4	36,000
3 – \$5.00	\$5	36,000
3 – \$10.00	\$10	24,000
2 – \$10.00 + \$\$	\$20	12,000
1 – \$20.00	\$20	6,000
3 – \$50.00	\$50	540
3 – \$1,000	\$1,000	90

SECTION 5. (a) There shall be approximately three million six hundred thousand (3,600,000) instant tickets initially available in instant game number 566.

(b) The odds of winning a prize in instant game number 566 are approximately 1 in 3.55.

(c) All reorders of tickets for instant game number 566 shall have the same:

- (1) prize structure;**
- (2) number of prizes per prize pool of two hundred forty thousand (240,000); and**
- (3) odds;**

as contained in the initial order.

SECTION 6. The last day to claim a prize in instant game number 566 is December 31, 2002.

SECTION 7. SECTIONS 1 through 6 of this document expire January 31, 2003.

LSA Document #01-416(E)

Filed with Secretary of State: November 30, 2001, 2:04 p.m.

TITLE 65 STATE LOTTERY COMMISSION

LSA Document #01-417(E)

DIGEST

Temporarily adds rules concerning instant game number 564.
Effective November 30, 2001.

SECTION 1. The name of this instant game is "Instant Game Number 564, Shake, Rattle & Roll".

SECTION 2. Instant tickets in instant game number 564 shall sell for one dollar (\$1) per ticket.

SECTION 3. (a) Each instant ticket in instant game number 564 shall contain six (6) play symbols and play symbol captions all concealed under a large spot of latex material. The play symbols and play symbol captions shall be arranged in a

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matrix of three (2) rows and two (2) columns. The rows shall be labeled "Roll 1", "Roll 2", and "Roll 3", respectively. The first column shall contain a play symbol and play symbol caption representing a number. The last column in each row shall be labeled "PRIZE" and contain a play symbol and play symbol caption representing a prize amount.

(b) The play symbols and play symbol captions, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

- (1) 2
TWO
- (2) 3
THR
- (3) 4
FOR
- (4) 5
FIV
- (5) 6
SIX
- (6) 7
SVN
- (7) 8
EGT
- (8) 9
NIN
- (9) 10
TEN
- (10) 11
ELV
- (11) 12
TWL

(c) The play symbols and play symbol captions representing prize amounts shall consist of the following possible play symbols and play symbol captions:

- (1) \$1.00
ONE
- (2) \$2.00
TWO
- (3) \$5.00
FIVE
- (4) \$10.00
TEN
- (5) \$20.00
TWENTY
- (6) \$50.00
FIFTY
- (7) \$500
FIVE HUN
- (8) \$1,000
ONE THOU

SECTION 4. The holder of a ticket in instant game number 564 shall remove the latex material covering the

nine (9) play symbols and play symbol captions. If the play symbol and play symbol caption associated with the number seven (7) is [*sic., are*] exposed in one (1) or more rows, the holder is entitled to the corresponding prize amounts. If the play symbol and play symbol caption associated with the number eleven (11) is [*sic., are*] exposed in one (1) or more rows, the holder is entitled to double the corresponding prize amounts. The prize amounts and number of winners in instant game number 564 are as follows:

Number of Winning Rows and Prize Play Symbol	Prize Amount	Approximate Number of Winners
1 – \$1.00	\$1	624,000
2 – \$1.00	\$2	36,000
1 – \$1.00 with "11"	\$2	36,000
1 – \$1.00 with "11" + 1 – \$1.00	\$3	24,000
3 – \$1.00	\$3	18,000
1 – \$5.00	\$5	12,000
1 – \$1.00 + 1 – \$2.00 with "11"	\$5	12,000
1 – \$10.00	\$10	12,000
2 – \$5.00	\$10	12,000
1 – \$5.00 with "11"	\$10	12,000
1 – \$10.00	\$10	12,000
3 – \$5.00	\$15	6,000
2 – \$5.00 + 1 – \$10.00	\$20	6,000
1 – \$10.00 with "11"	\$20	6,000
1 – \$20.00	\$20	6,000
1 – \$10.00 + 2 – \$20.00	\$50	750
1 – \$10.00 with "11" + 1 – \$10.00 + 1 – \$20.00	\$50	750
1 – \$50.00	\$50	750
1 – \$500	\$500	60
1 – \$1,000	\$1,000	30

SECTION 5. (a) There shall be approximately three million six hundred thousand (3,600,000) instant tickets initially available in instant game number 564.

(b) The odds of winning a prize in instant game number 564 are approximately 1 in 4.30.

(c) All reorders of tickets for instant game number 564 shall have the same:

- (1) prize structure;
- (2) number of prizes per prize pool of two hundred forty thousand (240,000); and
- (3) odds;

as contained in the initial order.

SECTION 6. The last day to claim a prize in instant game number 564 is December 31, 2002.

SECTION 7. SECTIONS 1 through 6 of this document expire January 31, 2003.

LSA Document #01-417(E)

Filed with Secretary of State: November 30, 2001, 2:05 p.m.

**TITLE 71 INDIANA HORSE RACING
COMMISSION**

LSA Document #01-410(E)

DIGEST

Amends 71 IAC 12-2-15 concerning allocation of riverboat gambling admissions tax revenue. Amends 71 IAC 12-2-18 concerning allocation of interstate simulcasting revenue to purses. Amends 71 IAC 12-2-19 concerning allocation of breakage and outs. Adds 71 IAC 12-2-20 concerning allocation of simulcast revenue between associations. Repeals 71 IAC 12-2-17. Effective January 1, 2002.

**71 IAC 12-2-15
71 IAC 12-2-17
71 IAC 12-2-18**

**71 IAC 12-2-19
71 IAC 12-2-20**

SECTION 1. 71 IAC 12-2-15 IS AMENDED TO READ AS FOLLOWS:

71 IAC 12-2-15 Allocation of riverboat gambling admissions tax revenue

Authority: IC 4-31-3-9; IC 4-33-12-6
Affected: IC 4-31-11-10

Sec. 15. (a) An association must be racing live in order to be eligible to receive distributions of riverboat gambling admissions tax revenue pursuant to this section.

(b) The commission shall allocate the riverboat gambling admissions tax revenue distributed to the commission by the treasurer of state pursuant to IC 4-33-12-6 as follows:

(1) Twenty percent (20%) divided equally between the standardbred breed development fund and the thoroughbred breed development fund as established by the commission under IC 4-31-11-10 **after the first one hundred thousand dollars (\$100,000) is allocated to the quarter horse breed development fund.**

(2) Forty percent (40%) to purses for the benefit of horsemen, which shall be divided equally between the standardbred purse account and the thoroughbred purse account **after the first two hundred thousand dollars (\$200,000) is allocated to purses for races for quarter horses. If more than one (1) track races a specific breed, purses for that breed shall be divided to the purse accounts of the tracks in question proportionally based upon the number of live race dates for that breed.** To the extent practical, the

revenue received under this subsection shall be distributed as purses for the benefit of horsemen in the year in which the revenue is received.

(3) **The lesser of thirty percent (30%) or six million eight hundred thousand dollars (\$6,800,000) In a year in which only one (1) association conducts live pari-mutuel racing, forty percent (40%) shall go to the association after the first five hundred thousand (\$500,000) is distributed as follows:**

(A) Two hundred thousand (\$200,000) to the thoroughbred development fund.

(B) Two hundred thousand (\$200,000) to the standardbred development fund.

(C) One hundred thousand (\$100,000) to the quarter horse development fund.

Such revenue may be used by the association for purses, promotions, and routine operations of the race track. Provided, however, that such monies shall not be used by the association for long term capital investment or construction. **Any monies in excess of the six million eight hundred thousand dollars (\$6,800,000) shall be allocated as follows:**

(A) The first two hundred thousand dollars (\$200,000) to purses for races for quarter horses at the association's race track.

(B) The next one hundred thousand dollars (\$100,000) to the quarter horse breed development fund.

(C) Any remaining monies shall be divided equally between standardbred and thoroughbred breed development funds.

(4) Ten percent (10%) to a promotion fund to be maintained by the commission. Monies in the promotion fund shall be available to reimburse the associations for approved promotional expenditures under guidelines approved by the commission. The executive director shall administer the promotional fund subject to the approval of the commission. Upon petition by the association to the commission and subject to the prior approval of the commission, monies in the promotion fund may also be made available to the association to supplement purses. The breed to benefit from such distribution shall be determined by the association. **In a year in which more than one (1) association conducts live pari-mutuel racing, forty percent (40%) to the associations, which shall be divided proportionally based on the total purses, irrespective of any breed considerations, generated by each association's track and satellite facilities from the following sources:**

(A) Live handle at track.

(B) Live handle at satellite facilities.

(C) Interstate simulcasting receiving handle.

(D) Interstate simulcasting sending handle.

Notwithstanding above formula, in a year which two (2) associations conduct commission approved live racing of both thoroughbreds and standardbreds at each facility, the forty percent (40%) shall be divided equally between associations.

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(c) The commission shall review the allocation of riverboat gambling admissions tax revenue as provided in this rule every two (2) years or upon the acceptance by the commission of a complete application for a permit or the issuance of a permit to construct a new pari-mutuel race track. (*Indiana Horse Racing Commission; 71 IAC 12-2-15; emergency rule filed Mar 9, 1994, 2:50 p.m.: 17 IR 1629; emergency rule filed Mar 25, 1996, 10:15 a.m.: 19 IR 2090; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2423; emergency rule filed Dec 22, 1999, 4:13 p.m.: 23 IR 1113, eff Dec 15, 1999 [IC 4-22-2-37.1 establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-269(E) was filed with the secretary of state on December 22, 1999]; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1189*)

SECTION 2. 71 IAC 12-2-18 IS AMENDED TO READ AS FOLLOWS:

71 IAC 12-2-18 Allocation of interstate simulcasting revenue to purses

Authority: IC 4-31-3-9
Affected: IC 4-31-9-2

Sec. 18. Interstate simulcasting Revenue for purses under IC 4-31-9-2 for an association that races more than one (1) breed of horse shall be allocated generated from the simulcasting of out-of-state signals into the state shall be divided and applied equally between the to standardbred purse account purses and the thoroughbred purse account: purses statewide. This division shall apply irrespective of the number of tracks, the breed of the incoming signal, and the number of live race dates conducted for either breed. If more than one (1) track races a specific breed, purses for that breed shall be divided to the purse accounts of the tracks in question proportionally based upon the number of live race dates for that breed. (*Indiana Horse Racing Commission; 71 IAC 12-2-18; emergency rule filed Mar 9, 1994, 2:50 p.m.: 17 IR 1630; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2423; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1190*)

SECTION 3. 71 IAC 12-2-19 IS AMENDED TO READ AS FOLLOWS:

71 IAC 12-2-19 Allocation of breakage and outs

Authority: IC 4-31-3-9; IC 4-31-9-10
Affected: IC 4-31-11-10; IC 4-31-11-11

Sec. 19. All breakage and outs shall be distributed equally, irrespective of the number of tracks, between the standardbred breed development fund and the thoroughbred breed development fund as established by the commission under IC 4-31-11-10. (*Indiana Horse Racing Commission; 71 IAC 12-2-19; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2424; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1190*)

SECTION 4. 71 IAC 12-2-20 IS ADDED TO READ AS FOLLOWS:

71 IAC 12-2-20 Allocation of simulcast revenue between associations

Authority: IC 4-31-3-9; IC 4-31-9-10
Affected: IC 4-31-11-10; IC 4-31-11-11

Sec. 20. In a year in which more than one (1) association conducts live pari-mutuel racing, an association that simulcasts into its track or satellite facilities a breed of horse which it does not race live shall share one-half (½) of its net retainage (after pari-mutuel taxes, host simulcast fees, and purses) on such wagering with any association that conducts live racing on said breed. Provided, however, that such sharing shall be limited to the track and/or any satellite facilities that are within twenty-five (25) miles of the other permit holder's track and/or satellite facilities. (*Indiana Horse Racing Commission; 71 IAC 12-2-20; emergency rule filed Nov 29, 2001, 1:20 p.m.: 25 IR 1190*)

SECTION 5. 71 IAC 12-2-17 IS REPEALED.

LSA Document #01-410(E)
Filed with Secretary of State: November 29, 2001, 1:20 p.m.

TITLE 71 INDIANA HORSE RACING COMMISSION

LSA Document #01-411(E)

DIGEST

Amends 71 IAC 14.5-1-1 concerning extending the due date for quarter horse Indiana breds. Amends 71 IAC 14.5-1-2 concerning adding a due date for quarter horse Indiana foals. Effective December 1, 2001.

71 IAC 14.5-1-1 71 IAC 14.5-1-2

SECTION 1. 71 IAC 14.5-1-1, AS AMENDED AT 25 IR 123, SECTION 15, IS AMENDED TO READ AS FOLLOWS:

71 IAC 14.5-1-1 Indiana bred quarter horse

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 1. Indiana bred quarter horse means any duly registered quarter horse foaled in Indiana whose dam was registered with the commission and entered Indiana by December 1 of the year prior to foaling. The mare (dam) must remain in Indiana continuously until foaling. The resulting foal will then be eligible to be registered as an Indiana bred. In the event a mare

entered Indiana and was registered with the commission after December 1 of the year prior to foaling, the foal (which must be foaled in Indiana) will be eligible to be registered as an Indiana bred only if said mare was bred back to a registered Indiana stallion in the year of foaling or mare may have been bred utilizing cooled semen from a stallion standing outside of Indiana, providing artificial insemination is performed in Indiana and proper documentation, as required was provided to the commission after foaling in Indiana. An Indiana bred quarter horse foaled prior to the year 2002 will require that the breeder must be a resident of Indiana as noted on the American Quarter Horse Association registration certificate. These horses must be registered with the commission by September 1, ~~2001~~, **2002**, or will not be eligible for the Indiana bred program. The horse must be registered with the commission prior to being entered in an Indiana bred conditioned race. (*Indiana Horse Racing Commission; 71 IAC 14.5-1-1; emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1036; emergency rule filed Aug 23, 2001, 9:58 a.m.: 25 IR 123; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:23 p.m.: 25 IR 1190*)

SECTION 2. 71 IAC 14.5-1-2, AS ADDED AT 24 IR 1036, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

71 IAC 14.5-1-2 Indiana foaled quarter horse

Authority: IC 4-31-3-9
Affected: IC 4-31

Sec. 2. Indiana foaled quarter horse means a horse whose American Quarter Horse Association registration certificate indicates Indiana as the state where the horse was foaled prior to the year 2002. A horse must be registered with the commission and a certificate issued prior to entry into an Indiana foaled conditioned race. **These horses must be registered with the commission by September 1, 2002, or will not be eligible for the Indiana bred program.** (*Indiana Horse Racing Commission; 71 IAC 14.5-1-2; emergency rule filed Nov 15, 2000, 11:40 a.m.: 24 IR 1036; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Nov 29, 2001, 1:23 p.m.: 25 IR 1191*)

*LSA Document #01-411(E)
Filed with Secretary of State: November 29, 2001, 1:23 p.m.*

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #01-415(E)

DIGEST

Temporarily amends 312 IAC 9-3-7 to govern hunting white-

tailed deer in a designated county under an extra deer license. Effective December 3, 2001.

SECTION 1. (a) Notwithstanding 312 IAC 9-3-7, this SECTION governs hunting deer under an extra deer license.

(b) This SECTION is supplemental to 312 IAC 2-2 and governs the activities of an individual who is either:

(1) issued a license to take an extra deer under IC 14-22-12-1(18) or IC 14-22-12-1(19); or

(2) hunting under IC 14-22-11-1 with the use of an extra deer license under IC 14-22-12-1(18) or IC 14-22-12-1(19).

(c) No person may take an antlerless deer under this SECTION unless in possession of an antlerless deer license issued by the department of natural resources, division of fish and wildlife, under this SECTION.

(d) The season for hunting deer under this SECTION is as follows:

(1) From November 17, 2001, through December 2, 2001, with bow and arrows or firearms.

(2) From December 8, 2001, through January 6, 2002, with bow and arrows or crossbows.

(3) From December 8, 2001, through December 23, 2001, with muzzle loading guns.

(e) The seasonal limit for hunting under this SECTION is one (1) antlerless deer for each license issued under this SECTION.

(f) A person who hunts under this SECTION must obtain an extra deer license for each deer. 312 IAC 9-3-2, that governs the use of tags, applies to extra tags.

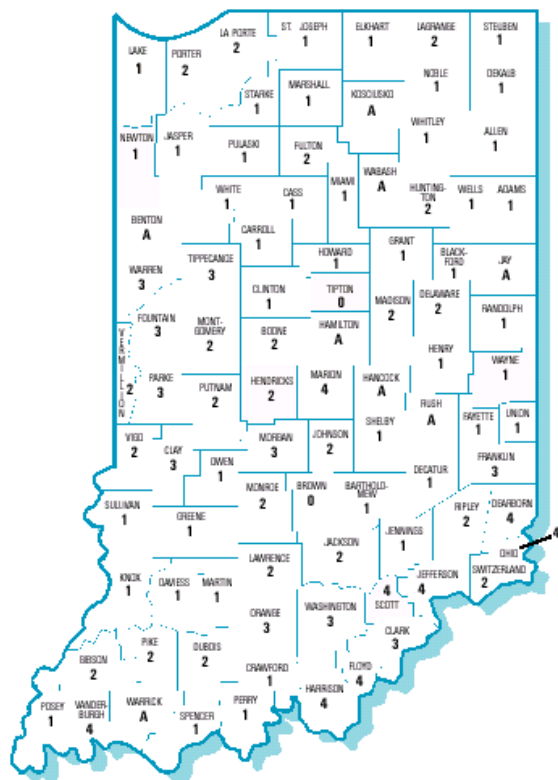
(g) A person who hunts under this SECTION may use bow and arrows, crossbow, or any firearms that may otherwise be lawfully used to take deer under 312 IAC 9-3.

(h) 312 IAC 9-3-3(d) through 312 IAC 9-3-3(g), and 312 IAC 9-3-4(d) through 312 IAC 9-3-4(g), apply to a license issued under this SECTION.

(i) The seasonal bag limit for taking antlerless deer under this SECTION is four (4) from Indiana.

(j) Except as provided in subsection (k), the county bag limit must not be exceeded from each county as set forth in the following map:

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(k) For a county marked on the map in subsection (j) with the letter "A", the county bag limit is one (1) antlerless deer. The deer must be taken from December 8, 2001, through January 6, 2002.

(l) The extra deer license authorized by this SECTION does not apply to the department properties listed in this subsection. The license is invalid on these properties:

- (1) Atterbury Fish and Wildlife Area.
- (2) Brush Creek Fish and Wildlife Area.
- (3) Chinook Fish and Wildlife Area.
- (4) Crosley Fish and Wildlife Area.
- (5) Francis Slocum State Forest.
- (6) Glendale Fish and Wildlife Area.
- (7) Green-Sullivan State Forest.
- (8) Hardy Lake (including adjacent lands administered by the department of natural resources).
- (9) Hillenbrand Fish and Wildlife Area.
- (10) Hovey Lake Fish and Wildlife Area.
- (11) Huntington Lake (including adjacent lands administered by the department of natural resources).
- (12) Jasper Pulaski Fish and Wildlife Area.
- (13) Kankakee Fish and Wildlife Area.
- (14) Lasalle Fish and Wildlife Area.
- (15) Minnehaha Fish and Wildlife Area.
- (16) Mississinewa Lake (including adjacent lands administered by the department of natural resources).
- (17) Patoka Lake, except east of State Road 145 (in Orange County and Crawford County) and south of

State Road 164 (in Dubois County and Crawford County).

- (18) Pigeon River Fish and Wildlife Area.
- (19) Salamonie Lake (including adjacent lands administered by the department of natural resources).
- (20) Salamonie State Forest.
- (21) Splinter Ridge Fish and Wildlife Area.
- (22) Sugar Ridge Fish and Wildlife Area.
- (23) Tri-County Fish and Wildlife Area.
- (24) Wilbur Wright Fish and Wildlife Area.
- (25) Willow Slough Fish and Wildlife Area.
- (26) Winamac Fish and Wildlife Area.

SECTION 2. SECTION 1 of this document expires February 1, 2002.

LSA Document #01-415(E)

Filed with Secretary of State: November 29, 2001, 5:10 p.m.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-409(E)

DIGEST

Temporarily adds provisions to establish requirements for the Indiana Health Care Professional Recruitment and Retention program. Authority: IC 4-22-2-37.1; IC 16-46-5-19. Effective November 19, 2001.

SECTION 1. (a) The definitions in this SECTION apply throughout this document.

(b) "Department" means the Indiana state department of health.

(c) "Fiscal body" means:

- (1) county council, for a county not having a consolidated city;
- (2) city county council, for a consolidated city or county having a consolidated city;
- (3) common council, for a city other than a consolidated city;
- (4) board of trustees, for a town;
- (5) advisory board, for a township; or
- (6) governing body or budget approval body, for any other political subdivision.

(d) "Fund" means the Indiana health care professional recruitment and retention fund.

(e) "Lending institution" means an institution that makes or holds education loans.

(f) "Shortage area" means a county, city, town, census tract, or township designated by the department as underserved by health care professionals.

(g) "Student loan" means a loan insured or guaranteed under a federal or state program of private insurance that is made to assist a student in obtaining postsecondary education and is:

- (1) made to any Indiana student, or either one (1) or both parents or the legal guardian of the student, for the purpose of attending an Indiana or non-Indiana institution;
- (2) made to any non-Indiana student, or one (1) or both parents or the legal guardian of the student, for the purpose of attending an Indiana institution; or
- (3) made or owned by any lending institution or their affiliate with offices located in Indiana or in a state which an Indiana bank or an Indiana bank holding company is entitled under Indiana law to acquire a bank or holding company.

SECTION 2. Applicants may choose only from those areas appearing on the department's annual list unless an applicant can provide the department with sufficient evidence and documented support that an area not appearing on the department's list is a medically underserved area.

SECTION 3. The department shall annually adopt the federal designation of the counties, towns, census tracts, and townships in Indiana that are underserved by specific types of health professionals as determined by the state department. The state department shall rank these areas according to the degree each is underserved by health care professionals.

SECTION 4. (a) The Indiana health care professional recruitment and retention fund is established. The purpose of this fund is to provide loan repayment for student loans incurred by health care professionals to encourage full-time delivery of health care in shortage areas. The department shall administer the fund.

- (b) The fund consists of the following:
- (1) Appropriations made by the general assembly.
 - (2) Repayments by loan recipients from the Indiana medical and nursing distribution loan fund under IC 25-22.5-9 (repealed July 1, 1987).
 - (3) Gifts to the fund.
 - (4) Grants from public or private sources.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund.

(d) Money in the fund does not revert to the state general fund.

(e) The fund shall be used for loan repayment under this document.

SECTION 5. A health care professional must apply for a loan repayment on an application form supplied by the department. Applications from health care professionals will be accepted until February 1. Funding decisions will be made by the department by March 1.

SECTION 6. Health care professionals participating in the student loan repayment program must meet the following conditions:

- (1) Be a U.S. citizen.
- (2) Have no outstanding contractual obligation for health professional service to the U.S. government, or a state or other entity, unless the service obligation will be completely satisfied before the contract has been signed. Be aware that certain bonus clauses in employment contracts may impose a service obligation.
- (3) Not be in breach of a health professional service contract to the U.S. government, state or local government or other entity.
- (4) Not have a judgment lien against their property for a debt to the United States.
- (5) Perform their service obligation at a site designated as eligible by the department.
- (6) Provide full-time primary health care service, which is defined as a minimum of forty (40) hours per week for at least forty-five (45) weeks per year at an eligible site. At least thirty-two (32) of the forty (40) hours per week must be spent providing clinical service. These services must be conducted during normally scheduled clinic hours in the ambulatory care setting office(s), with the remaining hours spent providing inpatient care to patients of the eligible site and/or in practice related administrative activities, with administrative activities not to exceed twenty percent (20%) of their full-time tour. Time spent "on-call" is not considered part of the full-time tour. Obstetrician/gynecologists, certified nurse midwives, and certified midwives are expected to spend not less than twenty-one (21) hours per week providing ambulatory care services during normally scheduled office hours, with the remaining hours spent providing inpatient care to patients of the eligible site and/or in practice related administrative activities, with administrative activities not to exceed twenty percent (20%) of their full-time tour.
- (7) Charge for their professional services at the usual and customary prevailing rates in the area in which such services are provided, except that if a person is unable to pay such charge, such person shall be charged at a reduced rate or not charged any fee.
- (8) Agree to provide primary health services to any individual seeking care. The program participants must agree not to discriminate on the basis of the patient's ability to pay for

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such care on the basis that payment for such care will be made pursuant to Medicare or Medicaid.

(9) Agree that they will:

(A) accept assignment under Medicare (Section 1842(b)(3)(B)(ii) of the Social Security Act) for all services for which payment under Part B of Title XVIII; and

(B) enter into an appropriate agreement with the state agency that administers the state plan for medical assistance under Title XIX to provide services to individuals entitled to medical assistance under the plan.

(10) Pay the amount specified in the program contract default provisions for failure to complete their service obligation for any reason.

SECTION 7. To be eligible for loan repayment for student loans, a health care professional must meet all of the following conditions:

(1) Hold an unlimited license to practice a health care profession in Indiana that has been declared by the department to be eligible for loan repayment in a specified fiscal year.

(2) Either:

(A) completed at least one (1) year of health care professional practice in a shortage area; or

(B) worked at least one (1) year at a community or migrant health center or maternal and child health clinic in a shortage area.

(3) Practice in a health care profession that has been declared eligible by the state department for loan repayment in a specified fiscal year.

SECTION 8. The department shall consider each application and determine, the eligibility of the applicant for the program under which the application is submitted, and the extent to which the shortage area or eligible entity located in a shortage area is underserved, according to the rank given the shortage area under IC 16-46-5-7.

SECTION 9. Loans awarded may not exceed the documented amount of the student loans incurred by the health care professional.

SECTION 10. The department shall file an annual report with the governor and the general assembly on the following:

(1) The receipt, disbursement, and use of funds.

(2) The identification of shortage areas.

(3) The number of applications for loan repayments by the following categories:

(A) Profession.

(B) Specialty.

(C) Underserved are to be served.

(4) The number and amount of loan repayments provided by the department.

SECTION 11. SECTIONS 1 through 10 of this document expire on February 16, 2002.

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