

## Emergency Rules

### TITLE 65 STATE LOTTERY COMMISSION

LSA Document #02-25(E)

#### DIGEST

Temporarily adds rules concerning instant game number 567.  
Effective January 11, 2002.

**SECTION 1. The name of this instant game is "Instant Game Number 567, Valentine's Day Doubler".**

**SECTION 2. Instant tickets in instant game number 567 shall sell for one dollar (\$1) per ticket.**

**SECTION 3. Each instant ticket in instant game number 567 shall contain six (6) 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 567 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) **\$10.00**  
TEN
- (5) **\$20.00**  
TWENTY
- (6) **\$214.00**  
TWFRTN
- (7) **A picture of a cupid**  
CUPID

**SECTION 4. The holder of a ticket in instant game number 567 shall remove the latex material covering the six (6) 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 caption of a picture of a cupid are exposed, the holder is entitled to double the matched prize amount. Prizes shall be available to holders of winning instant tickets in instant game number 595 in accordance with the following:**

Winning Play Symbols	Prize Amount	Approximate Number of Winners
3 matches of \$1.00 CUPID	\$1	447,200
2 matches of \$1.00 + CUPID	\$2	72,800
3 matches of \$2.00	\$2	72,800
2 matches of \$2.00 + CUPID	\$4	41,600
3 matches of \$4.00	\$4	41,600

3 matches of \$10.00	\$10	20,800
2 matches of \$10.00 + CUPID	\$20	10,400
3 matches of \$20.00	\$20	10,400
3 matches of \$214	\$214	650

**SECTION 5. (a) There shall be approximately three million (3,000,000) instant tickets initially available in instant game number 567.**

**(b) The odds of winning a prize in instant game number 567 are approximately 1 in 4.34.**

**(c) All reorders of tickets for instant game number 567 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 567 is January 31, 2003.**

**SECTION 7. SECTIONS 1 through 6 of this document expire February 28, 2003.**

*LSA Document #02-25(E)*

*Filed with Secretary of State: January 11, 2002, 11:43 a.m.*

### TITLE 65 STATE LOTTERY COMMISSION

LSA Document #02-26(E)

#### DIGEST

Adds 65 IAC 5-15 concerning the on-line game Max 5.  
Effective January 11, 2002.

#### 65 IAC 5-15

**SECTION 1. 65 IAC 5-15 IS ADDED TO READ AS FOLLOWS:**

##### Rule 15. Max 5

#### 65 IAC 5-15-1 Name

Authority: IC 4-30-3-7; IC 4-30-3-9

Affected: IC 4-30

**Sec. 1. The name of this on-line game is "Max 5".** (State Lottery Commission; 65 IAC 5-15-1; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1909)

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### 65 IAC 5-15-2 Definitions

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 2. (a) The definitions in this sections shall apply throughout this rule.

(b) "Max 5 winning numbers" means the two (2) numbers selected by the commission in a Max 5 selection event, one (1) from a range of one (1) through ten (10) and one (1) from a range of eleven (11) through twenty (20).

(c) "Max 5 selection event" means a drawing or other selection event conducted to determine Max 5 winning numbers.

(d) "Max 5 ticket" means an on-line ticket purchased in a manner defined in section 4(a) of this rule.

(e) "Play" means the four (4) numbers that appear on a valid Max 5 ticket in the manner defined in section 4(b) of this rule.

(f) "Player" means an eligible person who participates in a Max 5 selection event by purchasing a Max 5 ticket and/or claiming a prize.

(g) "Play slip" means a commission approved form containing two (2) columns of ten (10) numbers each, ranging from one (1) to ten (10) in the left column and eleven (11) to twenty (20) in the right column, that is used by a player to mark one (1) play for the Max 5 on-line game.

(h) "Quick pick" means a play randomly selected by a commission approved terminal.

(i) "Retailer" means a person who sells lottery tickets on behalf of the commission pursuant to a retailer contract.

(j) "Secondary prizes" means all prizes other than the top prize.

(k) "Set prizes" means prizes that are fixed in amount and paid in a single, lump sum.

(l) "Top prize" means the prize available to a player who holds a ticket containing the Max 5 winning numbers in all five (5) associated Max 5 selection events. (*State Lottery Commission; 65 IAC 5-15-2; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910*)

### 65 IAC 5-15-3 Ticket price and content

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 3. The price of a Max 5 ticket shall be five dollars (\$5). Each Max 5 ticket shall contain one (1) play that is valid for the five (5) consecutive Max 5 selection events following its pur-

chase. (*State Lottery Commission; 65 IAC 5-15-3; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910*)

### 65 IAC 5-15-4 Procedure for playing

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 4. (a) A Max 5 ticket may be purchased by one (1) of the following methods:

(1) The player may submit a completed play slip containing two (2) hand marked numbers in each of the two (2) columns to an authorized on-line retailer who shall generate the Max 5 ticket.

(2) The player may orally advise an authorized on-line retailer of the four (4) numbers contained in the player's play, and the on-line retailer shall generate the Max 5 ticket.

(3) The player may request a quick pick of the four (4) numbers in a play, and the on-line retailer shall generate the Max 5 ticket.

(4) The player may purchase a Max 5 ticket from a player activated terminal.

(b) Each play for Max 5 shall consist of the following:

(1) Two (2) different numbers from one (1) to ten (10), and

(2) Two (2) different numbers from eleven (11) to twenty (20).

(c) A Max 5 ticket is the only valid proof of a play and the only valid receipt for claiming a prize in Max 5. A play slip shall have no pecuniary or prize value and shall not constitute evidence of purchase of a Max 5 ticket or a play.

(d) Max 5 selection events shall be conducted twice each day at times designated by the director, typically midday and evening except on Sundays when there shall be no midday Max 5 selection event. There is no multiple draw opportunity in Max 5 other than that associated with each Max 5 ticket.

(e) Sales of Max 5 tickets shall be suspended prior to the time of each Max 5 selection event at a time determined by the director.

(f) Sales of Max 5 tickets for a Max 5 selection event containing a particular play may be suspended if the total liability of the commission for winning Max 5 tickets containing that play would exceed an amount established by the director. No person shall be entitled to purchase an on-line ticket containing any particular play if such play has been suspended and neither the commission, the director, nor any employee of the commission shall be liable for the inability of any person to purchase an on-line ticket containing a particular play.

(g) If a play slip is used to select a player's play for a Max 5 selection event, the play slip must have been approved by

the commission and completed by hand. The play slip may be scanned by the on-line terminal or keyed in by hand by the retailer.

(h) The director may, in the director's sole discretion, authorize the generation of on-line entry tickets or promotional prizes from terminals with respect to certain purchases of Max 5 tickets. (*State Lottery Commission; 65 IAC 5-15-4; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1910*)

**65 IAC 5-15-5 Prize amounts and determination of winners**

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 5. (a) A top prize of one million dollars (\$1,000,000) shall be paid to players presenting Max 5 tickets containing the Max 5 winning numbers in all five (5) associated Max 5 selection events. However, if two (2) or more such Max 5 tickets are issued with respect to one (1) Max 5 selection event, a pari-mutuel prize of two million dollars (\$2,000,000) shall be equally divided among those holding such tickets.

(b) Secondary prizes in Max 5 are as follows:

(1) Prizes of twenty thousand dollars (\$20,000) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in four (4) of the associated Max 5 selection events.

(2) Prizes of five hundred dollars (\$500) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in three (3) of the associated Max 5 selection events.

(3) Prizes of fifty dollars (\$50) are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in two (2) of the associated Max 5 selection events.

(4) Prizes of five dollars (\$5) and one (1) free Max 5 ticket are payable to players presenting Max 5 tickets containing the Max 5 winning numbers in one (1) of the associated selection events.

(c) Notwithstanding subsection (b) of this section, the commission's liability for any secondary prize category in a single Max 5 selection event is limited to five hundred thousand dollars (\$500,000). In such an event, that amount shall be equally divided as a pari-mutuel prize among holders of Max 5 tickets containing the Max 5 winning numbers for the affected secondary prize category. (*State Lottery Commission; 65 IAC 5-15-5; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911*)

**65 IAC 5-15-6 Determination of winning numbers**

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 6. The commission shall conduct Max 5 selection events under the supervision of security personnel and an independent auditor. (*State Lottery Commission; 65 IAC 5-15-6; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911*)

**65 IAC 5-15-7 Payment of prizes**

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30-15-1

Sec. 7. (a) All Max 5 prizes are set prizes and shall be paid in a single, lump sum payment less federal income withholding taxes and statutory off-sets.

(b) Max 5 prizes shall not be paid until after the last Max 5 selection event associated with a player's Max 5 ticket has been completed.

(c) The holder of a valid Max 5 ticket containing the Max 5 winning numbers is entitled only to the highest prize associated with the on-line ticket.

(d) Pari-mutuel prizes may be rounded down so that the prizes may be paid in multiples of whole dollars. (*State Lottery Commission; 65 IAC 5-15-7; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911*)

**65 IAC 5-15-8 Odds of winning**

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

Sec. 8. (a) The odds of winning the top prize of one million dollars (\$1,000,000) (or an equal share of two million dollar [*sic.*, dollars] (\$2,000,000) if the prize becomes pari-mutuel) are approximately 1:9,765,625.

(b) The odds of winning a prize of twenty thousand dollars (\$20,000) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:81,380.21.

(c) The odds of winning a prize of five hundred dollars (\$500) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:1,695.42.

(d) The odds of winning a prize of fifty dollars (\$50) (or an equal share of five hundred thousand dollars (\$500,000) if the prize becomes pari-mutuel) are approximately 1:70.64.

(e) The odds of winning a prize of five dollars (\$5) and one (1) free Max 5 ticket are approximately 1:5.89.

(f) The overall odds of winning a prize in Max 5 are 1:5.416317. (*State Lottery Commission; 65 IAC 5-15-8; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1911*)

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### 65 IAC 5-15-9 Termination of liability

Authority: IC 4-30-3-7; IC 4-30-3-9  
Affected: IC 4-30

**Sec. 9. All liability of the commission and its members, officers, directors, and employees for any prize terminates upon payment of the prize or upon the expiration of one hundred eighty (180) days after the date of the last Max 5 selection event associated with a Max 5 ticket. (State Lottery Commission; 65 IAC 5-15-9; emergency rule filed Jan 11, 2002, 11:46 a.m.: 25 IR 1912)**

LSA Document #02-26(E)

Filed with Secretary of State: January 11, 2002, 11:46 a.m.

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### TITLE 65 STATE LOTTERY COMMISSION

LSA Document #02-30(E)

#### DIGEST

Temporarily adds rules concerning instant game number 572. Effective January 15, 2002.

**SECTION 1. The name of this instant game is "Instant Game Number 572, Joker's Wild".**

**SECTION 2. Instant tickets in instant game number 572 shall sell for one dollar (\$1) per ticket.**

**SECTION 3. (a) Each instant ticket in instant game number 572 shall contain eighteen (18) 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 shall be arranged in a matrix of three (3) rows and six (6) columns. The rows in the matrix shall be separate and independent games labeled "HAND 1", "HAND 2", and "HAND 3", respectively. Five (5) play symbols and play symbol captions representing playing cards shall appear in each row followed by a box labeled "PRIZE" which shall contain one (1) 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) 

A ACE
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- (2) 

K KNG
----------
  
- (3) 

Q QUN
----------

(4) 

J JCK
----------

(5) 

10 TEN
-----------

(6) 

9 NIN
----------

(7) 

8 EGT
----------

(8) 

7 SVN
----------

(9) 

6 SIX
----------

(10) 

5 FIV
----------

(11) 

4 FOR
----------

(12) 

3 THR
----------

(13) A picture of a joker  
DBL

**(c) The play symbols and play symbol captions of 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) \$25.00  
TWY FIVE
- (7) \$50.00  
FIFTY
- (8) \$500  
FIVE HUN
- (9) \$2,100  
TWY ONE HUN

**SECTION 4. (a) The holder of an instant ticket in instant game number 572 shall remove the latex material covering the eighteen (18) play symbols and play symbol captions. If**

a pair of matching play symbols and play symbol captions are exposed in one (1) or more hands, the holder is entitled to the corresponding prize amount for that row. If a play symbol representing a picture of a joker with the play symbol caption "DBL" is exposed in the same row as a matching pair, the holder is entitled to double the corresponding prize amount for that row. A holder may win up to three (3) times on a ticket.

(b) The number of winning rows and the associated prize amount play symbols, total prize amounts, and approximate number of winners in instant game number 572 are as follows:

Number of Winning Hands and Play Symbols	Total Prize Amount	Approximate Number of Winners
1 – \$1.00	\$1	660,000
1 – \$1.00 with Joker	\$2	36,000
2 – \$1.00	\$2	24,000
1 – \$2.00	\$2	48,000
3– \$1.00	\$3	12,000
1 – \$5.00	\$5	48,000
1 – \$5.00 with Joker	\$10	12,000
2 – \$5.00	\$10	12,000
1 – \$10.00	\$10	12,000
3 – \$5.00	\$15	12,000
2 – \$5.00 + 1 – \$10	\$20	6,000
1 – \$10.00 with Joker	\$20	3,000
1 – \$20.00	\$20	3,000
3 – \$10.00	\$30	750
1 – \$10.00 + 1 – \$10.00 with Joker	\$30	750
1 – \$25.00 with Joker	\$50	225
2 – \$25.00	\$50	225
1 – \$50.00	\$50	225
1 – \$500	\$500	75
1 – \$2,100	\$2,100	30

SECTION 5. (a) There shall be approximately three million six hundred thousand (3,600,000) instant tickets initially available in instant game number 572.

(b) The odds of winning a prize in instant game number 572 are approximately 1 in 4.04.

(c) All reorders of tickets for instant game number 572 shall have the same:

- (1) prize structure;
  - (2) number of prizes per prize pool of one hundred twenty thousand (120,000); and
  - (3) odds;
- as contained in the initial order.

SECTION 6. The last day to claim a prize in instant game number 572 is January 31, 2003.

SECTION 7. SECTIONS 1 through 6 of this document expire on February 28, 2003.

*LSA Document #02-30(E)  
Filed with Secretary of State: January 15, 2002, 1:34 p.m.*

**TITLE 65 STATE LOTTERY COMMISSION**

LSA Document #02-31(E)

**DIGEST**

Temporarily adds rules concerning instant game number 573. Effective January 15, 2002.

SECTION 1. The name of this instant game is "Instant Game Number 573, SPARKLING GOLD".

SECTION 2. Instant tickets in instant game number 573 shall sell for two dollars (\$2) per ticket.

SECTION 3. (a) Each instant ticket in instant game number 573 shall contain twenty-three (23) play symbols and play symbol captions in the game play data area all concealed under a large spot of latex material. Three (3) play symbols and play symbol captions shall appear in the area labeled "WINNING NUMBERS". Twenty (20) play symbols and play symbol captions shall appear in the area labeled "YOUR NUMBERS" and be arranged in pairs representing prize amounts and numbers, a picture of a gold bar, or a double dollar sign.

(b) The play symbols and play symbol captions in instant game number 573, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

- (1) 1  
ONE
- (2) 2  
TWO
- (3) 3  
THR
- (4) 4  
FOR
- (5) 5  
FIV
- (6) 6  
SIX
- (7) 7  
SVN

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<p>(8) 8 EGT</p> <p>(9) 9 NIN</p> <p>(10) 10 TEN</p> <p>(11) 11 ELV</p> <p>(12) 12 TLV</p> <p>(13) 13 TRN</p> <p>(14) 14 FRN</p> <p>(15) 15 FTN</p> <p>(16) 16 SXT</p> <p>(17) 17 SVT</p> <p>(18) 18 ETN</p> <p>(19) 19 NTN</p> <p>(20) 20 TWY</p> <p>(21) 21 TTO</p> <p>(22) 22 TTT</p> <p>(23) 23 TTR</p> <p>(24) 24 TWF</p> <p>(25) 25 TWW</p> <p>(26) 26 TWS</p> <p>(27) 27 TSN</p> <p>(28) 28 TWE</p> <p>(29) 29 TWN</p> <p>(30) A picture of a gold bar WIN \$50</p> <p>(31) \$\$ DOUBLE</p>	<p>(2) \$3.00 THREE</p> <p>(3) \$4.00 FOUR</p> <p>(4) \$5.00 FIVE</p> <p>(5) \$10.00 TEN</p> <p>(6) \$15.00 FIFTEEN</p> <p>(7) \$20.00 TWENTY</p> <p>(8) \$25.00 TWY FIVE</p> <p>(9) \$50.00 FIFTY</p> <p>(10) \$100 ONE HUN</p> <p>(11) \$1,000 ONE THOU</p> <p>(12) \$20,000 TWY THOU</p>
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SECTION 4. The holder of a ticket in instant game number 573 shall remove the latex material covering the twenty-three (23) play symbols and play symbol captions. If one (1) or more of "YOUR NUMBERS" match any of the "WINNING NUMBERS", the holder is entitled to the paired prize amount. If the play symbol of a picture of a gold bar with the play symbol caption "WIN\$50" is exposed in the "YOUR NUMBERS" area, the holder is automatically entitled to a prize of fifty dollars (\$50). If the play symbol "\$\$" with the play symbol caption "DOUBLE" is paired with a play symbol and play symbol caption in the "YOUR NUMBERS" area, the holder is automatically entitled to double the paired prize amount. The number of matches, prize play symbols, prize amounts, and number of winners in instant game number 573 are as follows:

Number of Matches and Matched and Bonus Play Symbols	Total Prize Amount	Approximate Number of Winners
1 – \$2.00	\$2	138,600
1 – \$3.00	\$3	100,800
1 – \$2.00 with \$\$	\$4	113,400
1 – \$4.00	\$4	63,000
1 – \$2.00 + 1 – \$3.00	\$5	37,800
1 – \$5.00	\$5	37,800
5 – \$2.00	\$10	25,200
2 – \$5.00	\$10	6,300
1 – \$5.00 with \$\$	\$10	6,300
1 – \$10.00	\$10	12,600
1 – \$5.00 + 1 – \$5.00 with \$\$	\$15	12,600
1 – \$15.00	\$15	12,600
10 – \$2.00	\$20	12,600

(c) The play symbols and play symbol captions representing prize amounts in instant game number 573 shall consist of the following possible play symbols and play symbol captions:

(1) \$2.00  
TWO

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4 – \$5.00	\$20	6,300
1 – \$20.00	\$20	6,300
10 – \$5.00	\$50	315
5 – \$10.00	\$50	315
A picture of a gold bar	\$50	315
5 – \$10.00 + a picture of a gold bar	\$100	168
10 – \$10.00	\$100	168
1 – \$100	\$100	168
2 – \$25.00 + 4 – \$100 + a picture of a gold bar	\$500	10
10 – \$100	\$1,000	5
1 – \$1,000	\$1,000	5
1 – \$20,000	\$20,000	5

SECTION 5. (a) There shall be approximately two million five hundred thousand (2,500,000) instant tickets initially available in instant game number 573.

(b) The odds of winning a prize in instant game number 573 are approximately 1 in 4.24.

(c) All reorders of tickets for instant game number 573 shall have the same:

- (1) prize structure;
- (2) number of prizes per prize pool of one hundred twenty thousand (120,000); and
- (3) odds;

as contained in the initial order.

SECTION 6. The last day to claim a prize in instant game number 573 is February 28, 2003.

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

*LSA Document #02-31(E)*

*Filed with Secretary of State: January 15, 2002, 1:35 p.m.*

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### TITLE 65 STATE LOTTERY COMMISSION

LSA Document #02-32(E)

#### DIGEST

Temporarily adds rules concerning instant game number 596. Effective January 15, 2002.

SECTION 1. The name of this instant game is “Instant Game Number 596, Monte Carlo”.

SECTION 2. Instant tickets in instant game number 596 shall sell for seven dollars (\$7) per ticket.

SECTION 3. (a) Each instant ticket in instant game number 596 shall contain fifty-one (51) play symbols and play symbol captions arranged among three (3) separate and independent game play data areas each concealed under a spot of latex material.

(b) The game play data area in the upper portion of each instant ticket shall be labeled “BLACK JACK” and shall contain twelve (12) play symbols and play symbol captions arranged among four (4) separate rows labeled “GAME 1”, “GAME 2”, “GAME 3”, and “GAME 4”, respectively. Each row shall contain three (3) play symbols and play symbol captions which shall be arranged under columns labeled, respectively, “YOUR HAND”, “DEALER’S HAND”, and “PRIZE”.

(c) The game play data area in the middle portion of each instant ticket shall be labeled “7-11” and shall contain twelve (12) play symbols and play symbol captions arranged among four (4) separate rows labeled “ROLL 1”, “ROLL 2”, “ROLL 3”, and “ROLL 4”, respectively. Each row shall contain two (2) play symbols and play symbol captions representing dice and one (1) play symbol and play symbol caption representing a prize amount.

(d) The game play data area at the bottom of each instant ticket shall be labeled “ROULETTE” and shall contain twenty-seven (27) play symbols and play symbol captions arranged [*sic.*] three (3) separate roulette wheels labeled “WHEEL 1”, “WHEEL 2”, and “WHEEL 3”, respectively. Each roulette wheel shall contain one (1) play symbol and play symbol caption representing a number in a center box labeled “YOUR NUMBER” surrounded by four (4) pairs of play symbols and play symbol captions representing numbers and prize amounts.

SECTION 4. (a) 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) \$4.00  
FOUR
- (4) 5.00  
FIVE
- (5) \$7.00  
SEVEN
- (6) \$10.00  
TEN
- (7) \$20.00  
TWENTY
- (8) \$40.00  
FORTY

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- (9) \$50.00  
FIFTY
- (10) \$70.00  
SEVENTY
- (11) \$100  
ONE HUN
- (12) \$200  
TWO HUN
- (13) \$700  
SVN HUN
- (14) \$70,000  
SVT THOU

(b) The play symbols and play symbol captions appearing in the “BLACK JACK” game, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

- (1) 16  
SXT
- (2) 17  
SVT
- (3) 18  
EGT
- (4) 19  
NTN
- (5) 20  
TWY
- (6) 21  
TWN

(c) The play symbols appearing in the “7-11” game, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

- (1) A picture of a cube containing the number “1”.
- (2) A picture of a cube containing the number “2”.
- (3) A picture of a cube containing the number “3”.
- (4) A picture of a cube containing the number “4”.
- (5) A picture of a cube containing the number “5”.
- (6) A picture of a cube containing the number “6”.

(d) The play symbols and play symbol captions appearing in the “ROULETTE” game, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

- (1) 1  
ONE
- (2) 2  
TWO
- (3) 3  
THR
- (4) 4  
FOR
- (5) 5  
FIV
- (6) 6  
SIX

- (7) 7  
SVN
- (8) 8  
EGT
- (9) 9  
NIN
- (10) 10  
TEN
- (11) 11  
ELV
- (12) 12  
TLV
- (13) 13  
THT
- (14) 14  
FTN
- (15) 15  
FFN
- (16) 16  
SXT
- (17) 17  
SVT
- (18) 18  
ETN
- (19) 19  
NTN
- (20) 20  
TWY
- (21) 21  
TWN
- (22) 22  
TWT
- (23) 23  
TWR
- (24) 24  
TWF
- (25) 25  
TWV
- (26) 26  
TWX
- (27) 27  
TWS
- (28) 28  
TWE
- (29) 29  
TNI
- (30) 30  
THY
- (31) 31  
THN
- (32) 32  
THT
- (33) 33  
TTR
- (34) 34  
THF



(35) 35  
THV  
(36) 36  
THX

SECTION 5. (a) The holder of a ticket in instant game number 596 shall remove the latex material covering the fifty-one (51) play symbols and play symbol captions.

(b) If, in the "BLACK JACK" game play data area, the play symbol and play symbol caption exposed in the "YOUR HAND" column is a higher number than the play symbol and play symbol exposed in the "DEALER'S HAND" column in any game, the holder is entitled to the corresponding prize amount for that game.

(c) If, in the "7-11" game play data area, the total of the numbers on the play symbols in any roll equals seven (7) or eleven (11), the holder is entitled to the corresponding prize for that roll.

(d) If, in the "ROULETTE" game play data area, one (1) or more of the play symbols and play symbol captions surrounding the "YOUR NUMBER" box matches the "YOUR NUMBER" play symbol and play symbol caption, the holder is entitled to a prize of the paired amount.

SECTION 6. The prize amounts and number of winners in instant game number 596 are as follows:

Number of Winning Plays and Prize Amount Play Symbols	Prize Amount	Approximate Number of Winners
1 - \$2.00 + 1 - \$5.00	\$7	62,400
3 - \$2.00 + 1 - \$1.00	\$7	46,800
1 - \$7.00	\$7	15,600
6 - \$1.00 + 2 - \$2.00	\$10	62,400
5 - \$2.00	\$10	62,400
1 - \$10.00	\$10	31,200
2 - \$7.00	\$14	31,200
2 - \$2.00 + 2 - \$5.00	\$14	31,200
4 - \$5.00	\$20	13,600
2 - \$5.00 + 1 - \$10.00	\$20	7,800
10 - \$2.00	\$20	7,800
1 - \$20.00	\$20	7,800
2 - \$2.00 + 9 - \$4.00	\$40	2,600
1 - \$5.00 + 5 - \$7.00	\$40	2,600
2 - \$20.00	\$40	2,600
1 - \$40.00	\$40	2,600
10 - \$5.00 + 1 - \$20.00	\$70	7,150
10 - \$7.00	\$70	7,150
1 - \$10.00 + 3 - \$20.00	\$70	7,150
1 - \$70.00	\$70	7,150
10 - \$50.00 + 1 - \$200	\$700	520
7 - \$100	\$700	520
1 - \$700	\$700	520
1 - \$70,000	\$70,000	2

SECTION 7. (a) There shall be approximately one million five hundred thousand (1,500,000) instant tickets initially available in instant game number 596.

(b) The odds of winning a prize in instant game number 596 are approximately 1 in 3.69.

(c) All reorders of tickets for instant game number 596 shall have the same:

- (1) prize structure;
- (2) number of prizes per prize pool of two hundred twenty thousand (120,000) [sic.]; and
- (3) odds;

as contained in the initial order.

SECTION 8. The last day to claim a prize in instant game 596 [sic., is] December 31, 2003.

SECTION 9. SECTIONS 1 through 8 of this document expire on January 31, 2004.

*LSA Document #02-32(E)*

*Filed with Secretary of State: January 15, 2002, 1:53 p.m.*

**TITLE 65 STATE LOTTERY COMMISSION**

LSA Document #02-33(E)

DIGEST

Temporarily adds rules concerning instant game number 597. Effective January 15, 2002.

SECTION 1. The name of this instant game is "Instant Game Number 597, Fire N' Ice".

SECTION 2. Instant tickets in instant game number 597 shall sell for two dollars (\$2) per ticket.

SECTION 3. (a) Each instant ticket in instant game number 597 shall contain twenty-two (22) play symbols and play symbol captions in the game play data area all concealed under a large spot of latex material. Two (2) play symbols and play symbol captions shall appear in the area labeled "HOT WINNING NUMBERS". Twenty (20) play symbols and play symbol captions shall appear in the area labeled "YOUR ICE NUMBERS" and be arranged in pairs representing numbers and prize amounts.

(b) The play symbols and play symbol captions in instant game number 597, other than those representing prize amounts, shall consist of the following possible play symbols and play symbol captions:

## Emergency Rules

- (1) 1  
ONE
  - (2) 2  
TWO
  - (3) 3  
THR
  - (4) 4  
FOR
  - (5) 5  
FIV
  - (6) 6  
SIX
  - (7) 7  
SVN
  - (8) 8  
EGT
  - (9) 9  
NIN
  - (10) 10  
TEN
  - (11) 11  
ELVN
  - (12) 12  
TWLV
  - (13) 13  
THRTN
  - (14) 14  
FORTN
  - (15) 15  
FIFTN
  - (16) 16  
SIXTN
  - (17) 17  
SVNTN
  - (18) 18  
EGHTN
  - (19) 19  
NINTN
  - (20) 20  
TWTY
- (c) The play symbols and play symbol captions representing prize amounts in instant game number 597 shall consist of the following possible play symbols and play symbol captions:
- (1) \$2.00  
TWO
  - (2) \$3.00  
THREE
  - (3) \$4.00  
FOUR
  - (4) \$5.00  
FIVE
  - (5) \$10.00  
TEN

- (6) \$15.00  
FIFTEEN
- (7) \$20.00  
TWENTY
- (8) \$50.00  
FIFTY
- (9) \$100  
ONE HUN
- (10) \$500  
FIVE HUN
- (11) \$1,000  
ONE THOU
- (12) \$12,500  
TWV FIV HUN

SECTION 4. The holder of a ticket in instant game number 597 shall remove the latex material covering the twenty-two (22) play symbols and play symbol captions. If one (1) or more of "YOUR ICE NUMBERS" match either of the "HOT WINNING NUMBERS", the holder is entitled to the paired prize amount. The number of matches, prize play symbols, prize amounts, and number of winners in instant game number 597 are as follows:

Number of Matches and Matched Play Symbols	Total Prize Amount	Approximate Number of Winners
1 – \$2.00	\$2	277,200
1 – \$4.00	\$4	189,000
1 – \$2.00 + 1 – \$3.00	\$5	37,800
1 – \$5.00	\$5	37,800
5 – \$2.00	\$10	25,200
2 – \$5.00	\$10	12,600
1 – \$10.00	\$10	12,600
5 – \$3.00	\$15	12,600
1 – \$15.00	\$15	12,600
10 – \$2.00	\$20	6,300
5 – \$4.00	\$20	6,300
4 – \$5.00	\$20	6,300
1 – \$20.00	\$20	6,300
5 – \$10.00	\$50	210
1 – \$10.00 + 2 – \$20.00	\$50	210
1 – \$50.00	\$50	210
10 – \$10.00	\$100	210
2 – \$50.00	\$100	210
1 – \$100	\$100	210
5 – \$100	\$500	15
1 – \$500	\$500	15
10 – \$100	\$1,000	12
1 – \$1,000	\$1,000	12
1 – \$12,500	\$12,500	5

SECTION 5. (a) There shall be approximately two million

five hundred thousand (2,500,000) instant tickets initially available in instant game number 597.

(b) The odds of winning a prize in instant game number 597 are approximately 1 in 3.91.

(c) All reorders of tickets for instant game number 597 shall have the same:

- (1) prize structure;
  - (2) number of prizes per prize pool of one hundred twenty thousand (120,000); and
  - (3) odds;
- as contained in the initial order.

SECTION 6. The last day to claim a prize in instant game number 597 is December 31, 2002.

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

*LSA Document #02-33(E)*  
*Filed with Secretary of State: January 15, 2002, 1:55 p.m.*

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**TITLE 312 NATURAL RESOURCES COMMISSION**

LSA Document #02-35(E)

DIGEST

Temporarily amends 312 IAC 9-4-5 that governs annual seasons, bag limits, hunting restrictions, and shooting hours for taking geese. Establishes provisions in late winter and early spring 2002 for taking lesser snow geese and Ross's geese in support of a federal effort to control the numbers of these midcontinent light geese (MCLGs). Effective February 1, 2002.

SECTION 1. In addition to licensing requirements under IC 14-22-7, IC 14-22-11-1, 50 CFR 20, and 50 CFR 21, a person must obtain a department permit to take a lesser snow goose (*Anser caerulescens caerulescens*) or a Ross's goose (*Anser rossii*) from February 1, 2002, through March 31, 2002. A person taking a goose under this SECTION is exempted from the requirements under 312 IAC 9-4-2 to register for and possess an identification number through the Harvest Information Program.

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

*LSA Document #02-35(E)*  
*Filed with Secretary of State: January 30, 2002, 3:29 p.m.*

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**TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**

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LSA Document #02-34(E)

DIGEST

Temporarily adds provisions to prohibit the movement of all cervids into Indiana unless certain criteria are met. Authority: IC 15-2.1-18-21. Effective January 18, 2002.

SECTION 1. (a) For the purpose of this document the following apply:

- (1) "Chronic wasting disease" and "CWD" mean a transmissible spongiform encephalopathy of cervids.
- (2) "CWD certification program" means a state or federal program that monitors animals for CWD.
- (3) "CWD endemic state" means a state or a Canadian province where CWD has been diagnosed in free ranging cervids or on three (3) or more privately owned cervid premises within the last sixty (60) months.
- (4) "CWD high risk state" means a state or Canadian province other than a CWD endemic state where CWD has been diagnosed within the last sixty (60) months.
- (5) "CWD low risk state" means a state or Canadian province that is not a CWD high risk or CWD endemic state.
- (6) "State veterinarian" means the state veterinarian appointed under IC 15-2.1-4 and all authorized agents.

(b) Notwithstanding 345 IAC 1-3-30, a person may not transport into Indiana a cervid unless the applicable requirements elsewhere in 345 IAC 1-3 are satisfied and the following criteria are met:

- (1) The animal must originate from a state that requires all suspected or confirmed cases of CWD be reported to the state animal health official and that has the authority to quarantine CWD positive, CWD suspect, and CWD exposed herds. But, an animal that originates from a CWD low risk state that does not require reporting of CWD or lacks authority to quarantine for CWD may enter before January 1, 2004, if the applicant for a preentry permit under this document certifies in a writing provided to the state veterinarian the following:
  - (A) The animal has been in the herd of origin for at least twelve (12) months or is a natural addition to the herd.
  - (B) There have [*sic., has*] been no diagnosis of CWD in the herd of origin in the last sixty (60) months.
  - (C) No animal in the herd of origin originated from a herd in a CWD endemic state that was in a CWD certification program for less than sixty (60) months at the time of entry into the herd.
- (2) The animal may not originate from a herd or a location where an animal in the herd or housed at that

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## Emergency Rules

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location has tested positive for chronic wasting disease.  
(3) If the herd from which the animal originates is in a CWD endemic state, the following apply:

(A) The person must first apply to the state veterinarian for a preentry permit to bring the animal into Indiana. The state veterinarian may require from the applicant any information that is relevant to evaluating the disease risk associated with the animal movement. The state veterinarian may require that the application for a permit be in writing and be submitted not less than forty-eight (48) hours prior to the date the animal is to be moved into Indiana.

(B) The animal may not be moved into the state unless the state veterinarian issues a preentry permit to move the animal into the state.

(C) The certificate of veterinary inspection required under 345 IAC 1-3-4 shall be obtained.

(D) The animal's herd of origin must be enrolled in or subject to an official state or federal CWD certification program for not less than sixty (60) consecutive months. The owner of the herd must be in compliance with the CWD certification program requirements.

(4) If the herd from which the animal originates is in a CWD high risk state, the following apply:

(A) The person must first apply to the state veterinarian for a preentry permit to bring the animal into Indiana. The state veterinarian may require from the applicant any information that is relevant to evaluating the disease risk associated with the animal movement. The state veterinarian may require that the application for a permit be in writing and be submitted not less than forty-eight (48) hours prior to the date the animal is to be moved into Indiana.

(B) The animal may not be moved into the state unless the state veterinarian issues a preentry permit to move the animal into the state.

(C) The certificate of veterinary inspection required under 345 IAC 1-3-4 shall be obtained.

(5) If the herd from which the animal originates is in a CWD low risk state, the following apply:

(A) The person must first apply to the state veterinarian for a preentry permit to bring the animal into Indiana. The state veterinarian may require from the applicant any information that is relevant to evaluating the disease risk associated with the animal movement.

(B) The animal may not be moved into the state unless the state veterinarian issues a preentry permit to move the animal into the state.

(C) The certificate of veterinary inspection required under 345 IAC 1-3-4 shall be obtained.

(6) Information concerning the herd of origin's participation in a CWD certification program and any CWD tests conducted on the animal shall be disclosed to the state veterinarian when applying for a preentry permit and shall be included on the certificate of veterinary inspection required under 345 IAC 1-3-4.

(c) The state veterinarian may issue a preentry permit to move a cervid into the state if the requirements in this document are met and the epidemiology as it relates to CWD indicates that the proposed movement is consistent with reasonable animal health precautions. The state veterinarian may issue a permit to transport any animal into the state for the purpose of slaughter or research, or to facilitate the diagnosis, treatment, prevention, or control of disease. The state veterinarian may issue a preentry permit for any animal based only on the fact that within the thirty (30) days immediately prior to transportation into the state the animal has been tested for CWD using a test for CWD that has been approved by the United States Department of Agriculture and the state veterinarian and is found to be CWD negative.

(d) The requirements in this document apply to the movement of cervid semen or embryos into Indiana.

(e) The state veterinarian shall classify states as CWD endemic, CWD high risk, and CWD low risk under this document.

(f) Submitting false information to the state veterinarian in an application for a preentry permit is a violation of this document.

SECTION 2. SECTION 1 of this document expires April 18, 2002.

*LSA Document #02-34(E)*

*Filed with Secretary of State: January 18, 2002, 2:32 p.m.*

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## TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #02-28(E)

### DIGEST

Temporarily adds provisions to exempt certain providers of early intervention services. Authority: IC 16-27-1-7. Effective January 14, 2002.

SECTION 1. (a) No home health agency shall be opened, operated, managed, maintained, or otherwise conduct business without a license issued by the department.

(b) A license is required for any home health agency providing care in Indiana where the parent agency is located in a state other than Indiana. The home health agency must be authorized by the secretary of state to conduct business in Indiana and have a branch office located in Indiana.

(c) Application for a license to operate a home health agency shall be made on a form provided by the department and shall be accompanied by a nonrefundable fee of one hundred dollars (\$100).

(d) Disclosure of ownership and management information must be made to the department at the time of the home health agency's initial request for licensure, for each survey, and at the time of any change in ownership or management. The disclosure must include the following:

- (1) The name and address of all persons having at least five percent (5%) ownership or controlling interest in the home health agency.
- (2) The name and address of each person who is an officer, a director, a managing agent, or a managing employee of the home health agency.
- (3) The name and address of the corporation, association, or other company that is responsible for the management of the home health agency, and the name and address of the chief executive officer and the chairman or equivalent position of the governing body of that corporation, association, or other legal entity responsible for the management of the home health agency.

(e) After receiving a completed application, the nonrefundable fee required by section (c) of this document, and disclosure of ownership and management information, the department may issue a letter of approval for operating a home health agency for a period of up to ninety (90) days pending an on-site inspection. In determining whether to issue the letter of approval, the department shall consider the following factors:

- (1) whether the department has filed an action against an agency owned or operated by the applicant that resulted in:
  - (A) the revocation of a license;
  - (B) the denial or renewal of a license;
  - (C) the issuance or renewal of a probationary license; or
  - (D) the payment of a civil penalty;
- (2) whether the department has issued an order against an agency owned or operated by the applicant;
- (3) whether an agency owned or operated by the applicant has surrendered its license to the department;
- (4) whether any injunction has been issued against an agency owned or operated by the applicant; and
- (5) whether an agency owned or operated by the applicant has operated in substantial violation of this rule or any other law governing home health agencies at any time within two (2) years immediately preceding the date that the applicant applied for a license.

(f) The department may extend this ninety (90) day period for a total of one hundred twenty (120) days in fifteen (15) day increments. Such decision to grant an extension shall take into consideration the health, safety, and welfare of the citizens the home health agency serves

and the individual circumstances warranting the need for the extension. The home health agency must provide the service(s) that have been specified on the application prior to the inspection and must have a minimum of three (3) patients for record review. Record review may consist of both open and closed patient files.

(g) In determining whether to issue the initial license to operate a home health agency, the department may consider the factors described under section (e) of this document and the results of the initial survey.

(h) The license shall relate back to and reflect the date of the first day of the ninety (90) day letter issued by the department.

(i) In determining whether to renew a license to operate a home health agency, the department may consider the factors described under section (e) of this document and any actions pending against the home health agency.

(j) In conducting a survey, a surveyor shall receive copies of any and all documents necessary to make a determination of compliance. The surveyor may make copies with permission of the home health agency, or supervise any copying process to ensure that photocopies are true and accurate. At the sole discretion of the department and for good cause shown, the home health agency may be granted up to twenty-four (24) hours to produce documents requested by the surveyor.

(k) A home health agency may apply to provide a service that was not listed in its application or renewal application by notifying the department in writing of the new service, the date the service is intended to be offered and all supporting documentation that shows the home health agency is qualified to provide the additional service. Such documentation includes, but is not limited to, the following:

- (1) Personnel qualifications and licensing.
- (2) Limited criminal history from the Indiana central repository established by IC 5-2-5.
- (3) Procedures for the supervision of personnel.
- (4) Contracts between the home health agency and any person offering the new service.
- (5) Records of physical exams showing that personnel are free of communicable disease. In the event the initial information submitted is not sufficient for the department to determine the home health agency's compliance regarding the new service, the department will inform the home health agency of the additional documents required. A home health agency may not offer additional services until it has received approval from the department to do so.

(l) The following are not required to be licensed as a home health agency:

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- (1) A physician licensed under IC 25-22.5.
  - (2) An individual whose permanent residence is in the patient's residence or who is a member of the patient's immediate family.
  - (3) Incidental services provided by licensed health facilities to their patients.
  - (4) An employee of a person holding a license under IC 16-27-1 who provides home health services only as an employee of the licensed person.
  - (5) A local health department established under IC 16-20.
  - (6) A health care professional who provides one health service through a contract with a person licensed under IC 16-27-1.
  - (7) A durable medical equipment supply company that furnishes equipment but provides no home health services to persons in their homes.
  - (8) A drugstore or wholesale medical supply company that furnishes no home health services to persons in their home.
  - (9) A volunteer who provides home health aide services without compensation.
  - (10) An individual health care professional who provides professional services to a patient in the temporary or permanent residence of the patient.
  - (11) An entity does not need a home health license to provide early intervention services (as defined in IC 12-17-15-3) to a child pursuant to a state program funded by the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).
- (m) Except as provided in 410 IAC 17-11-5, each license shall be for a term of one (1) year and shall expire one (1) year from the date of issuance. The licensee shall notify the department in writing thirty (30) days in advance of closing or selling the home health agency.
- (n) Each license shall be issued only for the home health agency named in the application and shall not be transferred or assigned. Upon sale, assignment, lease, or other transfer, voluntary or involuntary, including those transfers that qualify as changes of ownership, a new owner or person in interest shall obtain a license from the department prior to maintaining, operating, or conducting a home health agency.
- (o) The licensee shall submit an annual activity report to the department on a form provided by the department.
- (p) Surveys may be, but are not limited to, the following:
- (1) Unannounced surveys conducted annually for compliance.
  - (2) Post survey revisits conducted based on a home health agency's plan of correction and for the purpose of determining compliance.
  - (3) Patient care complaints.

SECTION 2. SECTION 1 of this document expires April 14, 2002.

*LSA Document #02-28(E)*

*Filed with Secretary of State: January 14, 2002, 1:55 p.m.*

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### TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #02-29(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. The original emergency document, LSA Document #01-409(E), as printed at 25 IR 1192, effective November 19, 2001, expires February 16, 2002. Effective February 17, 2002.

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 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

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## Emergency Rules

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

(B) worked at least (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 May 18, 2002.

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