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TITLE 414 HOSPITAL COUNCIL

Proposed Rule LSA Document #05-95

DIGEST

Adds 414 IAC 1-1-3 and 414 IAC 1-1-4 to establish licensing fees for abortion clinics and birthing centers. Effective 30 days after filing with the Secretary of State.

414 IAC 1-1-3

414 IAC 1-1-4

SECTION 1. 414 IAC 1-1-3 IS ADDED TO READ AS FOLLOWS:

ARTICLE 1. LICENSE FEES

Rule 1. License Fees for Hospitals, Ambulatory Outpatient Surgical Centers, Abortion Clinics, and Birthing Centers

414 IAC 1-1-3 Abortion clinic license fees

Authority: IC 16-21-2-12; IC 16-21-2-14

Affected: IC 16-21-1; IC 16-21-2

Sec. 3. (a) Each abortion clinic licensed under IC 16-21-2 and 410 IAC 26 shall pay a license fee or annual renewal fee.

(b) An application for an abortion clinic license must be accompanied by a licensing fee at the rate set in the fee schedule in this subsection. Annual renewal fees will be due upon application for renewal of license, as provided by 410 IAC 26-2, based upon total annual surgical abortion procedures performed as reported to the state department of health on the most recently filed annual abortion clinic report (State Form 52234). The fee schedule shall be as follows:

Total Annual Surgical Abortion Procedures	Fee
0 – 799	\$500
800 – 3,499	\$1,000
3,500 – 6,999	\$2,000
7,000 and above	\$3,000

(Hospital Council; 414 IAC 1-1-3)

SECTION 2. 414 IAC 1-1-4 IS ADDED TO READ AS FOLLOWS:

414 IAC 1-1-4 Birthing center license fees

Authority: IC 16-21-2-12; IC 16-21-2-14

Affected: IC 16-21-1; IC 16-21-2

Sec. 4. (a) Each birthing center licensed under IC 16-21-2 and 410 IAC 27 shall pay a license fee or annual renewal fee.

(b) An application for a birthing center license must be accompanied by a licensing fee at the rate set in the fee schedule in this subsection. Annual renewal fees will be due upon application for renewal of license, as provided by 410 IAC 27-2, upon total annual births as reported to the state department of health on the most recently filed annual birthing center report (State Form 52236). The fee schedule shall be as follows:

Total Annual Deliveries	Fee
0 – 799	\$500

800 – 3,499	\$1,000
3,500 – 6,999	\$2,000
7,000 and above	\$3,000
<i>(Hospital Council; 414 IAC 1-1-4)</i>	

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on October 24, 2005 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Rooms 1 and 2, Indianapolis, Indiana the Hospital Council will hold a public hearing on a proposed rule to establish licensing fees for abortion clinics and birthing centers.

These rules are designed to meet the statutory mandate of IC 16-21-2-12 and IC 16-21-2-14. Requirements not expressly required by these statutes have not been imposed.

Copies of these rules are now on file at the Health Care Regulatory Services Commission at the Indiana State Department of Health, 2 North Meridian Street and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Sue Uhl
Deputy State Health Commissioner
Indiana State Department of Health