

HOUSE BILL No. 1180

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-319.5; IC 16-28.

Synopsis: Health facility matters. Requires the state health commissioner to establish a work group to study methods of reducing and preventing health facility resident neglect and submit a report to the general assembly. Requires a health facility to do the following: (1) Designate at least one employee to act as a family advocacy liaison. (2) Establish an independent third party review process for written resident or other individual complaints alleging neglect of a resident. (3) Offer grief support to the family of a deceased resident. Prohibits a health facility from taking retaliatory action against an employee because the employee: (1) discloses actions or practices by the health facility that the employee reasonably believes violate state or federal law; (2) provides information or testifies in investigations or hearings; or (3) assists or participates in proceedings to enforce state law. Urges the legislative council to assign to an appropriate interim committee during the 2026 interim the study of requiring health facilities to meet certain staff-to-patient ratios.

Effective: Upon passage; July 1, 2026.

Shackleford

January 5, 2026, read first time and referred to Committee on Public Health.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1180

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-319.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 319.5. "Retaliatory action", for**
4 **purposes of IC 16-28-4-8, has the meaning set forth in**
5 **IC 16-28-4-8(a).**

6 SECTION 2. IC 16-28-1-15 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2026]: **Sec. 15. (a) The state health commissioner, or the state**
9 **health commissioner's designee, shall establish a work group to**
10 **study methods to reduce and prevent resident neglect in health**
11 **facilities. The work group must include the following members:**

12 (1) **Representatives of health facilities.**
13 (2) **Representatives of family members of residents.**
14 (3) **Representatives of advocacy groups that advocate for**
15 **individuals who reside in health facilities.**
16 **The state health commissioner or the state health commissioner's**
17 **designee shall chair the work group and schedule and hold at least**



four (4) meetings.

(b) Before November 1, 2027, the state department, in coordination with the work group, shall prepare and submit a written report to the general assembly in an electronic format under IC 5-14-6 with the actions of the work group and any recommendations by the work group to reduce or prevent neglect in health facilities.

(c) This section expires December 31, 2027.

SECTION 3. IC 16-28-2-13.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.2. (a) A health facility licensed under this article shall designate at least one (1) employee of the health facility to act as the family advocacy liaison for:

(1) residents of the health facility; and

(2) a designated member of the resident's family or the resident's health care representative;

that assists a resident or an individual described in subdivision (2) in obtaining information concerning the resident, including records and responses to grievances filed with the health facility by the resident or individual described in subdivision (2) concerning the resident.

(b) A health facility shall provide the name and contact information of the health facility's designated family advocacy liaison to each resident and individual described in subsection (a)(2).

(c) A health facility shall offer grief support resources and counseling to family members after the death of a resident.

SECTION 4. IC 16-28-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) Each health facility licensed under this article shall establish and implement an independent third party review process of a complaint filed in writing by a resident or an individual described in section 13.2(a)(2) of this chapter when the complaint makes allegations concerning neglect of the resident.

(b) The independent third party review process established by a health facility must meet the following requirements:

(1) Be submitted in writing by the health facility to the independent third party for review and investigation not later than seven (7) calendar days from the filing of the complaint described in subsection (a).

(2) Submit a copy of the written submission to the independent third party under subdivision (1) to the



individual who submitted the negligence complaint.

(3) Allow the independent third party access to any records, staff, or other relevant information concerning the complaint in a timely manner and necessary for the independent third party to investigate the complaint.

(c) A health facility may not do any of the following concerning a negligence complaint described in this section:

(1) Require the resident or individual who filed the negligence complaint to reimburse the health facility for the independent third party review under this section.

(2) Take any other adverse action against the resident or the individual who submitted the complaint unless recommended by the independent third party, the state department, or a court of law.

(d) A health facility shall ensure that a resident or an individual described in section 13.2(a)(2) of this chapter is provided timely access to the resident's records and any response to a filed complaint.

SECTION 5. IC 16-28-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) As used in this section, "retaliatory action" means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms and conditions of employment of an employee of a health facility that is taken in retaliation for the employee's involvement in a protected activity as set forth in this section.

(b) A health facility may not take any retaliatory action against an employee of the health facility because the employee does any of the following:

(1) Discloses or threatens to disclose to a supervisor or to the public an activity, inaction, policy, or practice implemented by a health facility that the employee reasonably believes is in violation of a federal or state law, rule, or regulation.

(2) Provides information to or testifies before any law enforcement or governmental entity conducting an investigation, hearing, or inquiry into any violation of a federal or state law, rule, or regulation.

(3) Assists or participates in a proceeding to enforce the provisions of this article.

(c) A violation of this section occurs only if there is a finding that:

(1) the employee of the health facility engaged in conduct



described in subsection (b); and

(2) the employee's conduct was a contributing factor in the retaliatory action alleged by the employee.

However, a health facility has not violated this section if the health facility demonstrates, by clear and convincing evidence, that the health facility would have taken the unfavorable employment action against the employee in the absence of the conduct described in subsection (b).

(d) If a court finds that a health facility has taken retaliatory action against an employee in violation of this section, the employee may be awarded all relief necessary to make the employee whole and to prevent future violations of this section. Relief may include any of the following:

(1) Reinstatement of the individual to the same or equivalent position held before the retaliatory action was taken.

(2) Two (2) times the amount of back pay that is owed to the individual.

(3) Interest on the back pay that is owed to the individual.

(4) Compensation for any special damages sustained by the individual as a result of the retaliatory action being taken, including costs and expenses of litigation and reasonable attorney's fees.

(e) Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of an individual under any other federal or state law, rule, regulation, or employment contract.

SECTION 6. IC 16-28-11-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. After the death of a resident, the health facility shall offer grief support to the deceased resident's family.

SECTION 7. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "health facility" refers to an entity licensed under IC 16-28 as a comprehensive care facility.

(b) The legislative council is urged to assign to the appropriate study committee during the 2026 legislative interim the task of studying whether the state should impose minimum staff-to-patient ratios for health facilities.

(c) This SECTION expires December 31, 2026.

SECTION 8. An emergency is declared for this act.

