

# HOUSE BILL No. 1393

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2; IC 16-51-2.

**Synopsis:** Health care debt and duty to provide care. Prohibits a health care provider from refusing to provide necessary care solely on the basis of health care debt owed or alleged to be owed by the consumer to the health care provider for health care services, products, or devices provided by the health care provider to the consumer or to a minor or an incapacitated individual who is under the responsibility of the consumer. Provides that a person that violates this prohibition commits a deceptive act that is actionable under the Indiana statute concerning deceptive consumer sales by the attorney general only.

**Effective:** July 1, 2026.

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## Summers

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January 8, 2026, read first time and referred to Committee on Public Health.

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Introduced

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. 1393

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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 16-18-2-69.1 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 69.1. "Consumer", for purposes**  
4 **of IC 16-51-2, has the meaning set forth in IC 16-51-2-1.**

5 SECTION 2. IC 16-18-2-160.2 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2026]: **Sec. 160.2. "Health care debt", for**  
8 **purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-2.**

9 SECTION 3. IC 16-18-2-163, AS AMENDED BY  
10 P.L.179-2022(ss), SECTION 4, IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 163. (a) Except as  
12 provided in subsection (c), "health care provider", for purposes of  
13 IC 16-21 and IC 16-41, means any of the following:

14 (1) An individual, a partnership, a corporation, a professional  
15 corporation, a facility, or an institution licensed or legally  
16 authorized by this state to provide health care or professional  
17 services as a licensed physician, a psychiatric hospital, a hospital,



1           a health facility, an emergency ambulance service (IC 16-31-3),  
2           a dentist, a registered or licensed practical nurse, a midwife, an  
3           optometrist, a pharmacist, a podiatrist, a chiropractor, a physical  
4           therapist, a respiratory care practitioner, an occupational therapist,  
5           a psychologist, a paramedic, an emergency medical technician, an  
6           advanced emergency medical technician, an athletic trainer, or a  
7           person who is an officer, employee, or agent of the individual,  
8           partnership, corporation, professional corporation, facility, or  
9           institution acting in the course and scope of the person's  
10          employment.

11          (2) A college, university, or junior college that provides health  
12          care to a student, a faculty member, or an employee, and the  
13          governing board or a person who is an officer, employee, or agent  
14          of the college, university, or junior college acting in the course  
15          and scope of the person's employment.

16          (3) A blood bank, community mental health center, community  
17          intellectual disability center, community health center, or migrant  
18          health center.

19          (4) A home health agency (as defined in IC 16-27-1-2).

20          (5) A health maintenance organization (as defined in  
21          IC 27-13-1-19).

22          (6) A health care organization whose members, shareholders, or  
23          partners are health care providers under subdivision (1).

24          (7) A corporation, partnership, or professional corporation not  
25          otherwise qualified under this subsection that:

26           (A) provides health care as one (1) of the corporation's,  
27           partnership's, or professional corporation's functions;  
28           (B) is organized or registered under state law; and

29           (C) is determined to be eligible for coverage as a health care  
30           provider under IC 34-18 for the corporation's, partnership's, or  
31           professional corporation's health care function.

32          Coverage for a health care provider qualified under this subdivision is  
33          limited to the health care provider's health care functions and does not  
34          extend to other causes of action.

35          (b) "Health care provider", for purposes of IC 16-35, has the  
36          meaning set forth in subsection (a). However, for purposes of IC 16-35,  
37          the term also includes a health facility (as defined in section 167 of this  
38          chapter).

39          (c) "Health care provider", for purposes of IC 16-32-5, IC 16-36-5,  
40          IC 16-36-6, and IC 16-41-10 means an individual licensed or  
41          authorized by this state to provide health care or professional services  
42          as:



- (1) a licensed physician;
- (2) a registered nurse;
- (3) a licensed practical nurse;
- (4) an advanced practice registered nurse;
- (5) a certified nurse midwife;
- (6) a paramedic;
- (7) an emergency medical technician;
- (8) an advanced emergency medical technician;
- (9) an emergency medical responder, as defined by section 109.8 of this chapter;
- (10) a licensed dentist;
- (11) a home health aide, as defined by section 174 of this chapter; or
- (12) a licensed physician assistant.

15 The term includes an individual who is an employee or agent of a  
16 health care provider acting in the course and scope of the individual's  
17 employment.

18 (d) "Health care provider", for purposes of IC 16-36-7, has the  
19 meaning set forth in IC 16-36-7-12.

22 (1) An individual, a partnership, a corporation, a professional  
23 corporation, a facility, or an institution licensed or authorized by  
24 the state to provide health care or professional services as a  
25 licensed physician, a psychiatric hospital, a hospital, a health  
26 facility, an emergency ambulance service (IC 16-31-3), an  
27 ambulatory outpatient surgical center, a dentist, an optometrist, a  
28 pharmacist, a podiatrist, a chiropractor, a psychologist, or a  
29 person who is an officer, employee, or agent of the individual,  
30 partnership, corporation, professional corporation, facility, or  
31 institution acting in the course and scope of the person's  
32 employment.

33 (2) A blood bank, laboratory, community mental health center,  
34 community intellectual disability center, community health  
35 center, or migrant health center.

36 (3) A home health agency (as defined in IC 16-27-1-2).

37 (4) A health maintenance organization (as defined in  
38 IC 27-13-1-19).

39 (5) A health care organization whose members, shareholders, or  
40 partners are health care providers under subdivision (1).

(6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:



- (A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;
- (B) is organized or registered under state law; and
- (C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(f) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).

(g) "Health care provider", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-3.

SECTION 4. IC 16-18-2-244.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 244.7. "Necessary services", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-4.

SECTION 5. IC 16-51-2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

## Chapter 2. Health Care Debt: Duty to Provide Necessary Services

Sec. 1. (a) As used in this chapter, "consumer" means an individual whose principal residence is in Indiana.

(b) The term includes an individual described in subsection (a) who is legally responsible for, or legally required or authorized to act on behalf of, an individual who is:

- (1) less than eighteen (18) years of age; or
- (2) an incapacitated person (as defined in IC 29-3-1-7.5).

**Sec. 2. (a) As used in this chapter, "health care debt" means an obligation or an alleged obligation of a consumer to pay an amount related to the receipt of health care services, products, or devices provided by a health care provider to:**

**(1) the consumer; or**  
**(2) an individual described in section 1(b)(1) or 1(b)(2) of this chapter with respect to whom the consumer is:**

**(A) legally responsible; or**  
**(B) legally required or authorized to act.**

**(b) The term does not include debt charged to a credit card unless the credit card is issued under:**

- (1) an open-end plan; or
- (2) a closed-end plan;

offered specifically for the payment of health care services,



1       **products, or devices provided to an individual.**

2       **Sec. 3. As used in this chapter, "health care provider" means:**

3           (1) a person listed in IC 16-39-7-1(a)(1) through  
4           IC 16-39-7-1(a)(13); or  
5           (2) a provider of ambulance services (as defined in  
6           IC 16-18-2-13.4).

7       **Sec. 4. As used in this chapter, "necessary services", with  
8           respect to an individual, means services that are:**

9           (1) provided by a health care provider to the individual; and  
10           (2) necessary or appropriate to prevent or treat:  
11              (A) serious permanent disfigurement;  
12              (B) serious temporary disfigurement;  
13              (C) permanent or protracted loss or impairment of the  
14              function of a bodily part or organ;  
15              (D) loss of consciousness; or  
16              (E) death.

17       **Sec. 5. A health care provider may not refuse to provide  
18           necessary services to:**

19           (1) a consumer; or  
20           (2) an individual described in section 1(b)(1) or 1(b)(2) of this  
21           chapter with respect to whom a consumer is:  
22              (A) legally responsible; or  
23              (B) legally required or authorized to act;

24       **solely on the basis of health care debt owed or alleged to be owed  
25           by the consumer to the health care provider for health care  
26           services, products, or devices provided by the health care provider  
27           to the consumer or the individual described in subdivision (2).**

28       **Sec. 6. A person that violates section 5 of this chapter commits  
29           a deceptive act that is actionable under IC 24-5-0.5 only by the  
30           attorney general under IC 24-5-0.5-4(c).**

