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SENATE BILL No. 225

Proposed Changes to introduced printing by AM022501

DIGEST OF PROPOSED AMENDMENT

Lien. Removes the lien language concerning principal residences.

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 4-6-2-13 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: Sec. 13. (a) The attorney general may:
4 (1) suspend the authority of a hospital, or a debt collector or
5 other third party on behalf of a hospital, to pursue medical
6 debt collection as described in IC 16-21-16-~~4~~3; and
7 (2) terminate the suspension upon the hospital's compliance
8 with IC 16-21-16, as determined by the Indiana department
9 of health.

10 (b) The attorney general shall enforce IC 16-21-16~~and may~~
11 ~~bring any action under IC 24-5-0.5-4(c) concerning a deceptive~~
12 ~~practice described in IC 16-21-16-7(b)~~.

13 SECTION 2. IC 16-18-2-14, AS AMENDED BY P.L.213-2025,
14 SECTION 146, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) "Ambulatory outpatient
16 surgical center", for purposes of IC 16-19, IC 16-21, IC 16-32-5, and
17 IC 16-38-2, means a public or private institution that meets the
18 following conditions:

19 (1) Is established, equipped, and operated primarily for the
20 purpose of performing surgical procedures and services.
21 (2) Is operated under the supervision of at least one (1) licensed

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1 physician or under the supervision of the governing board of the
 2 hospital if the center is affiliated with a hospital.

3 (3) Permits a surgical procedure to be performed only by a
 4 physician, dentist, or podiatrist who meets the following
 5 conditions:

6 (A) Is qualified by education and training to perform the
 7 surgical procedure.

8 (B) Is legally authorized to perform the procedure.

9 ~~(C) Is privileged to perform surgical procedures in at least
 10 one (1) hospital within the county or an Indiana county
 11 adjacent to the county in which the ambulatory outpatient
 12 surgical center is located.~~

13 ~~(D) (C) Is admitted to the open staff of the ambulatory
 14 outpatient surgical center.~~

15 (4) Requires that a licensed physician with specialized training
 16 or experience in the administration of anesthetic supervise the
 17 administration of the anesthetic to a patient and remain present
 18 in the facility during the surgical procedure, except when only a
 19 local infiltration anesthetic is administered.

20 (5) Provides at least one (1) operating room and, if anesthetics
 21 other than local infiltration anesthetics are administered, at least
 22 one (1) postanesthesia recovery room.

23 (6) Is equipped to perform diagnostic x-ray and laboratory
 24 examinations required in connection with any surgery
 25 performed.

26 (7) Does not provide accommodations for patient stays of longer
 27 than twenty-four (24) hours.

28 (8) Provides full-time services of registered and licensed nurses
 29 for the professional care of the patients in the postanesthesia
 30 recovery room.

31 (9) Has available the necessary equipment and trained personnel
 32 to handle foreseeable emergencies such as a defibrillator for
 33 cardiac arrest, a tracheotomy set for airway obstructions, and a
 34 blood bank or other blood supply.

35 (10) Maintains a written agreement with at least one (1) hospital
 36 for immediate acceptance of patients who develop complications
 37 or require postoperative confinement.

38 (11) Provides for the periodic review of the center and the
 39 center's operations by a committee of at least three (3) licensed
 40 physicians having no financial connections with the center.

41 (12) Maintains adequate medical records for each patient.

42 (13) Meets all additional minimum requirements as established



1 by the state department for building and equipment
 2 requirements.

3 (14) Meets the rules and other requirements established by the
 4 state department for the health, safety, and welfare of the
 5 patients.

6 (b) The term does not include a birthing center.

7 (c) "Ambulatory outpatient surgical center", for purposes of
 8 IC 16-34, refers to an institution described in subsection (a) and that
 9 has a majority ownership by a hospital licensed under IC 16-21.

10 SECTION 3. IC 16-18-2-223.2 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2026]: Sec. 223.2. "Medical debt", for
 13 purposes of IC 16-21-16, has the meaning set forth in
 14 IC 16-21-16-2.

15 SECTION 4. ~~IC 16-18-2-292~~ [IC 16-18-2-328].8 IS ADDED TO
 16 THE INDIANA CODE AS A NEW SECTION TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. ~~292~~ [328].8.
 18 "~~Primary residence~~" Service line", for purposes of
 19 IC 16-21-1 ~~7.1~~, has the meaning set forth in ~~IC 16-21-16-3~~.

20 ~~SECTION 5. IC 16-18-2-328.8 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: Sec. 328.8. "Service line", for
 23 purposes of IC 16-21-17.1, has the meaning set forth in
 24 IC 16-21-17~~ [IC 16-21-17].1-1.

25 SECTION ~~5~~ IC 16-21-16 IS ADDED TO THE INDIANA
 26 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2026]:

28 Chapter 16. Medical Debt Collection Restrictions

29 Sec. 1. This chapter applies to medical debt incurred after
 30 June 30, 2026.

31 Sec. 2. As used in this chapter, "medical debt" means any
 32 amount owed for health care services, products, or devices
 33 provided to an individual by or in a hospital.1

34 1 Sec. 3. ~~As used in this chapter, "primary residence" means
 35 real or personal property that:~~

36 ~~(1) is located in Indiana;~~

37 ~~(2) the consumer;~~

38 ~~(A) owns; or~~

39 ~~(B) is buying under contract;~~

40 ~~whether solely or jointly with another person; and~~

41 ~~(3) constitutes the principal place of residence of:~~

42 ~~(A) the consumer; or~~



(B) a dependent of the consumer:

Sec. 4. (a) A hospital, or a debt collector or other third party on behalf of a hospital, may not pursue collection of a medical debt unless the hospital is in compliance with the following statutes, if applicable to the hospital:

- (1) IC 16-21-6.
- (2) IC 16-21-9.
- (3) IC 16-21-17.1.
- (4) IC 16-21-18.
- (5) IC 16-21-19.

(b) The state department shall determine on a semiannual basis whether a hospital is in compliance with the statutes specified in subsection (a) and notify a hospital, in writing, of the state department's determination concerning the hospital's compliance. A determination under this subsection is subject to review under IC 4-21.5.

(c) The state department shall notify the office of the attorney general of any hospital that the state department determines to be noncompliant with the statutes described in subsection (a).

(d) The office of the attorney general may suspend the noncompliant hospital's authority to pursue medical debt collection while the noncompliance remains uncured.

(e) The state department shall notify the office of the attorney general of the following under this chapter:

- (1) A final determination that a hospital is noncompliant.
- (2) A determination that a hospital that was noncompliant has remedied the noncompliance and is now compliant with the statutes.

Upon receiving a notice under subdivision (2), the office of the attorney general shall terminate a suspension described in subsection (d).

(f) An individual may raise a hospital's noncompliance with a statute set forth in subsection (a) as an affirmative defense in any medical debt collection action.

(g) A hospital may pursue collection of a medical debt previously incurred by an individual when the hospital was noncompliant under subsection (a) if the state department subsequently makes a determination, in writing, that the noncompliance has been remedied and the hospital is designated by the state department as compliant under this chapter.

Sec. ~~4~~ [4]. (a) The state department shall post and update a list of the noncompliant hospitals on the state department's



1 website.

2 (b) The state department shall adopt procedures for the
3 following:

4 (1) The state department's review of a hospital's compliance
5 under this chapter, including a schedule for reviewing and
6 issuing determinations concerning compliance.

7 (2) A noncompliant hospital's subsequent compliance status
8 review to determine if the noncompliance has been
9 remedied. <

10 ~~Sec. 6. (a) For purposes of this section, a patient includes the
11 parent or guardian of a patient if the patient is a child or a
12 dependent.~~

13 ~~(b) A hospital, or a debt collector or other third party on
14 behalf of a hospital, may not file or maintain a lien on a patient's
15 primary residence to recover medical debt if the patient is acting
16 in good faith to make payments on the medical debt.~~

17 ~~(c) A patient is considered to be acting in good faith under
18 subsection (b) if the patient does any of the following concerning
19 the medical debt:~~

20 ~~(1) Enters into a reasonable payment plan with the hospital.~~

21 ~~(2) Applies for financial assistance offered by the hospital.~~

22 ~~(3) Makes partial payments toward the balance of the
23 medical debt.~~

24 ~~(d) Any lien asserted, claimed, or entered on a primary
25 residence in violation of this section is null and void and must be
26 released at no cost to the patient.~~

27 ~~(e) Nothing in this section may be construed to discharge or
28 otherwise release the underlying medical debt.~~

29 ~~Sec. 7. (a) A hospital shall include the following information in
30 bold type in at least 14 point font on any statement, payment plan,
31 or medical debt collection communication issued by the hospital,
32 or a debt collector or other third party on behalf of the hospital:~~

33 ~~"Medical debt may not result in a lien on your home if you
34 act in good faith to make payments on the medical debt."~~

35 ~~(b) Failure to include the notice described in subsection (a)
36 constitutes a deceptive act under IC 24-5-0.5 that is actionable by
37 the attorney general and is subject to the remedies and penalties
38 under IC 24-5-0.5.~~

39 ~~Sec. 8>1~~

40 ~~Sec. 5]. (a) The attorney general shall enforce this chapter and
41 may do any of the following:~~

42 (1) Investigate alleged violations.



(2) Impose civil penalties of not more than ten thousand dollars (\$10,000) per violation.

(3) Order restitution to an affected patient or individual.

(4) Suspend or prohibit a hospital, a debt collector, or other third party from collecting medical debt until compliance is verified.

(b) The attorney general may adopt rules under IC 4-22-2 to implement and administer this chapter.

Sec. ~~4~~6. (a) An individual injured by a violation of this chapter may bring a civil action to recover in an appropriate court any of the following:

(1) Actual damages.

(2) Statutory damages not to exceed one thousand dollars (\$1,000).

(3) Injunctive relief.

(b) A prevailing plaintiff is entitled to recover court costs and reasonable attorney's fees.

SECTION ~~7~~⁷[6]. IC 16-21-17.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 17.1. Notice of Closure or Reduction of Services

Sec. 1. As used in this chapter, "service line" means a category of hospital based clinical services offered to patients, including the following:

(1) Emergency.

(2) **Obstetrics.**

(3) Neonatal.

(4) Trauma.

(5) Behavioral health services.

Sec. 2. (a) Except as provided in section 4 of this chapter, a hospital shall provide written notice to the state department at least one hundred twenty (120) days before the hospital does any of the following:

- (1) Closes and permanently terminates hospital operations.**
- (2) Eliminates or reduces a service line for longer than ninety (90) days.**

(b) The notice under subsection (a) must include the following:

(1) The proposed date of closure, elimination, or reduction.

(2) A description of the affected services and capacity.

(3) The hospital's plan for patient continuity of care.

(4) The reason for the closure, elimination, or reduction.

Sec. 3. Except as provided in section 4 of this chapter, not later



1 than ten (10) days after the notice is issued under section 2 of this
 2 chapter, the following must occur:

3 (1) The state department shall post a summary of the
 4 proposed closure, elimination, or reduction on the state
 5 department's website.

6 (2) The state department shall notify the office of the
 7 secretary of family and social services and any other affected
 8 state agency of the closure, elimination, or reduction.

9 (3) The hospital shall provide the notice described in section
 10 2 of this chapter to the following:

11 (A) The local health department.

12 (B) The chief elected official of the local unit in which
 13 the hospital is located.

14 Sec. 4. (a) The state department may waive the requirements
 15 in sections 2 and 3 of this chapter upon written request by the
 16 hospital only if:

17 (1) the closure, elimination, or reduction described in section
 18 2 of this chapter is necessary due to a natural disaster,
 19 catastrophic facility failure, or other emergency event
 20 beyond the hospital's control; and

21 (2) the state department determines that the waiver is
 22 necessary to protect the public's health and safety.

23 (b) The state department shall in a reasonable time period post
 24 on the state department's website any waiver granted under this
 25 section and the justification for the waiver.

26 Sec. 5. A hospital that violates this chapter may be subject to
 27 any of the following:

28 (1) A civil penalty not to exceed ten thousand dollars
 29 (\$10,000) per violation.

30 (2) Any other reasonable administrative action determined
 31 by the state department.

32 ~~SECTION 8. IC 32-28-16 IS ADDED TO THE INDIANA
 33 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2026]:~~

35 ~~Chapter 16. Prohibition Against Lien on Principal Residence
 36 of a Consumer for Medical Debt~~

37 ~~Sec. 1. As used in this chapter, "hospital" refers to an entity
 38 licensed under IC 16-21. The term includes an affiliate, officer,
 39 agent, or employee of the entity.~~

40 ~~Sec. 2. As used in this chapter, "medical debt" means any
 41 amount owed for health care services, products, or devices
 42 provided to an individual by or in a hospital.~~



1 Sec. 3. As used in this chapter, "primary residence" means
2 real or personal property that:
3 (1) is located in Indiana;
4 (2) the consumer:
5 (A) owns; or
6 (B) is buying under contract;
7 whether solely or jointly with another person; and
8 (3) constitutes the principal place of residence of:
9 (A) the consumer; or
10 (B) a dependent of the consumer.
11 Sec. 4. A hospital having an ownership or other interest in
12 medical debt owed by an individual may not assert, claim, enter,
13 maintain, or enforce a lien against the individual's primary
14 residence as long as the individual is acting in good faith to make
15 payments on the medical debt as set forth in IC 16-21-16-6.➤

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