

# TITLE 410 INDIANA DEPARTMENT OF HEALTH

## Readoption Review

### **Licensing Fees for Hospitals, Birthing Centers, and Ambulatory Outpatient Surgery Centers LSA Document #23-653**

#### **I. Continued Need for the Rule**

This rule sets licensing fees for hospitals, ambulatory outpatient surgical centers and birthing centers as required by IC 16-21-2-12. The rules are necessary as the licensing fees are required by IC 16-21-2-12. The fees offset the Indiana Department of Health's survey costs for facilities.

Facilities can calculate their fees based on the facility's financial information. The fee is a sliding scale based on a total operating expenses for hospitals, and the number of procedures performed for other facilities. The fee is reasonable as it is proportional to the size of the hospital based upon the facility's operating costs, or the number of procedures performed by other facilities. The fee is used to offset survey inspection costs, so it reduces costs to taxpayers. The fees have not changed since the rule was initially adopted in 2012

The rule uses the most practical and least restrictive method of imposing fees. It does not duplicate or conflict with standards in state, federal, or local laws, and it is clear and written for ease of comprehension. The fees are clear and simple to enforce.

#### **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

This rule includes fees that regulated entities can calculate based on the rule. The fee is a sliding scale with specific dollar amounts based on total operating expenses for hospitals, and the number of procedures performed for other facilities. The fee is reasonable as it is proportional to the size of the hospital based upon the facility's operating costs, or the number of procedures performed by other facilities

#### **III. Complaints and Comments**

There have been no complaints or comments received from the public concerning the implementation of this rule.

#### **IV. Difficulties Encountered**

The rule is not a complex rule. The agency has encountered no difficulties in administering the rule. We have not been made aware of any difficulties of small businesses in complying with the rule.

#### **V. Changes in Technology, Economic Conditions, or Other Factors**

There have not been any technological, economic, or other known factors that have changed or impacted the areas under the rule.

## **VI. Revised Regulatory Analysis**

There have been no changes that impact the previous regulatory analysis. The hospital fees are tied to operating expenses, so they increase at the same rate as operating expenses.