

# Insights

## **Are You Compliant with Indiana's Annual Hospital Public Forum Requirement?**

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As of July 1, 2021, certain hospitals in Indiana are required by state law (IC 16-21-9-3.5) to hold an annual public forum in order to promote transparency and accountability in their operations, and to ensure that the needs and concerns of the community are addressed. These forums may be held in the form of meetings, hearings, or other public gatherings, and must be announced to the community in advance through various means such as news releases, posters, or other forms of public notice. Importantly, the public forum requirement does not apply to nonprofit critical access hospitals that are either not part of a hospital system, or are not affiliated with a hospital or hospital system, or to county hospitals established and operated under Indiana law.

During the public forum, hospital officials and representatives from the community may present information and answer questions from the public, and the public will typically have the opportunity to provide input and ask questions as well. In order to promote cost transparency, the hospital should be prepared to discuss the previous year's income statement, pricing for healthcare services compared to Medicare reimbursements, the rationale for pricing above the Medicare reimbursement amount, and any increases in healthcare pricing that occurred in the previous year.

Hospitals affected by this Indiana law should review its requirements and incorporate them into their policies. If you have any questions about your compliance with the law, please contact our partners at Krieg Devault, **Thomas N. Hutchinson** or **Brandon W. Shirley** for more information.

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