



Reprinted
March 3, 2020

ENGROSSED HOUSE BILL No. 1008

DIGEST OF HB 1008 (Updated March 2, 2020 4:08 pm - DI 119)

Citations Affected: IC 25-0.5; IC 25-1.

Synopsis: Occupational license endorsement. Requires a board that issues a license for certain regulated occupations to issue a license to an individual who: (1) is licensed in the regulated occupation in another state or jurisdiction; (2) has established residency in Indiana; (3) has passed a substantially equivalent examination as determined by the board; (4) is and has been in good standing in the individual's licensure in the other state or jurisdiction; (5) pays a fee to the board; and (6) completes the licensure application form required by the board. Allows a board that requires an applicant to submit to a national criminal history background check to maintain that requirement with regard to applicants for licensure who meet all of the license endorsement requirements. Provides that nothing in the bill prevents or supersedes a: (1) compact; or (2) reciprocity or comity agreement; if established by the board or the general assembly. Provides that, if a board has entered into a national reciprocal or endorsement agreement or a reciprocal or endorsement agreement with one or more states, those agreements remain in effect. Makes a technical correction.

Effective: July 1, 2020.

Carbaugh, Morris, Wesco

(SENATE SPONSORS — MESSMER, BUSCH)

January 6, 2020, read first time and referred to Committee on Employment, Labor and Pensions.

January 27, 2020, amended, reported — Do Pass.

January 29, 2020, read second time, ordered engrossed. Engrossed.

January 30, 2020, read third time, passed. Yeas 85, nays 6.

SENATE ACTION

February 11, 2020, read first time and referred to Committee on Commerce and Technology.

February 27, 2020, amended, reported favorably — Do Pass.

March 2, 2020, read second time, amended, ordered engrossed.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1008

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-0.5-10-1, AS AMENDED BY P.L.177-2015,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 1. As used in IC 25-1-1.1, ~~and~~ IC 25-1-8-6, **and**
4 **IC 25-1-20**, "board" means any of the entities described in this chapter.

5 SECTION 2. IC 25-1-20 IS ADDED TO THE INDIANA CODE AS
6 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2020]:

Chapter 20. Endorsement of Licenses

8 **Sec. 1. (a) This chapter does not apply to criteria for a license**
9 **that is established by an interstate compact.**

10 **(b) This chapter does not prohibit an individual from**
11 **proceeding under other licensure, certification, registration, or**
12 **permit requirements established by a board.**

13 **Sec. 2. As used in this chapter, "board" means any of the**
14 **following entities:**

- 15 (1) **The Indiana auctioneer commission (IC 25-6.1-2-1).**
16 (2) **The board of chiropractic examiners (IC 25-10-1).**
17

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(3) The state board of cosmetology and barber examiners (IC 25-8-3-1).

(4) The home inspectors licensing board (IC 25-20.2-3-1).

(5) The manufactured home installer licensing board (IC 25-23.7).

(6) The medical licensing board of Indiana (IC 25-22.5-2).

(7) The occupational therapy committee (IC 25-23.5).

(8) The Indiana board of pharmacy (IC 25-26).

(9) The physician assistant committee (IC 25-27.5).

(10) The board of podiatric medicine (IC 25-29-2-1).

(11) The state psychology board (IC 25-33).

(12) The state board of massage therapy (IC 25-21.8-2-1).

Sec. 3. As used in this chapter, "license" means:

(1) an unlimited license, certificate, registration, or permit;

(2) a limited or probationary license, certificate, registration, or permit;

(3) a temporary license, certificate, registration, or permit;

(4) an intern permit; or

(5) a provisional license;

issued by a board regulating a profession or an occupation.

Sec. 4. As used in this chapter, "regulated occupation" means a profession or occupation in which an individual must be licensed.

Sec. 5. (a) Except as provided in subsection (b) and section 6 of this chapter and notwithstanding any other law, the board shall issue a license for a regulated occupation to an individual if the individual applies for the license with the appropriate board and meets the following requirements, if such requirements are applicable to the appropriate board:

(1) Has a valid license to practice from another state or jurisdiction for the same regulated occupation that is substantially equivalent to the license type being applied for.

(2) Has documented the individual's residency in Indiana, which may include evidence of a valid Indiana driver's license or identification card.

(3) Has passed an examination which the appropriate board has determined to be substantially equivalent to the level of license for which a license is being applied.

(4) Does not have a pending complaint, allegation, investigation, or disciplinary proceeding in another state or jurisdiction.

(5) Has not had a license revoked or suspended and has not voluntarily surrendered a license in any other state or



jurisdiction while under investigation for unprofessional conduct.

(6) Has not had discipline imposed by the regulating entity in another state or jurisdiction.

(7) Pays a fee determined by the board that is reviewing the application.

(8) Completes the licensure application form as required by the board.

(b) If a board described in subsection (a) requires that an individual submit to a national criminal history background check (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for a regulated occupation, the board may still maintain this requirement, even if the individual applies for the license and meets the requirements set forth in subsection (a).

Sec. 6. (a) If a board has entered into a:

(1) national reciprocal or endorsement agreement; or

(2) reciprocal or endorsement agreement with one (1) or more states;

those agreements remain in effect.

(b) Nothing in this chapter prevents or supersedes a:

(1) compact; or

(2) reciprocity or comity agreement;

established by the general assembly or a board.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "Reciprocity" and insert "**Endorsement**".

Page 2, line 13, delete "Notwithstanding" and insert "**(a) Except as provided in subsection (b) and section 6 of this chapter and notwithstanding**".

Page 2, line 16, delete "requirements:" and insert "**requirements, if such requirements are applicable to the appropriate board:**".

Page 2, line 23, after "examination" insert "**which the appropriate board has determined to be**".

Page 2, line 24, delete "applied for." and insert "**applied.**".

Page 2, after line 37, begin a new paragraph and insert:

"(b) If a board described in subsection (a) requires that an individual submit to a national criminal history background check (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for a regulated occupation, the board may still maintain this requirement, even if the individual applies for the license and meets the requirements set forth in subsection (a).

Sec. 6. (a) If a board has entered into a:

- (1) national reciprocal or endorsement agreement; or**
- (2) reciprocal or endorsement agreement with one (1) or more states;**

those agreements remain in effect.

(b) Nothing in this chapter prevents or supersedes a:

- (1) compact; or**
 - (2) reciprocity or comity agreement;**
- established by the general assembly or a board."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1008 as introduced.)

VANNATTER

Committee Vote: yeas 9, nays 2.



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred House Bill No. 1008, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 14, after "the" insert "**following entities:**

- (1) The Indiana auctioneer commission (IC 25-6.1-2-1).**
- (2) The board of chiropractic examiners (IC 25-10-1).**
- (3) The state board of cosmetology and barber examiners (IC 25-8-3-1).**
- (4) The Indiana state board of health facility administrators (IC 25-19-1).**
- (5) The committee of hearing aid dealer examiners (IC 25-20-1-1.5).**
- (6) The home inspectors licensing board (IC 25-20.2-3-1).**
- (7) The manufactured home installer licensing board (IC 25-23.7).**
- (8) The medical licensing board of Indiana (IC 25-22.5-2).**
- (9) The occupational therapy committee (IC 25-23.5).**
- (10) The Indiana board of pharmacy (IC 25-26).**
- (11) The physician assistant committee (IC 25-27.5).**
- (12) The board of podiatric medicine (IC 25-29-2-1).**
- (13) The state psychology board (IC 25-33).**
- (14) The state board of massage therapy (IC 25-21.8-2-1).".**

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 2.

and when so amended that said bill do pass.

(Reference is to HB 1008 as printed January 27, 2020.)

PERFECT, Chairperson

Committee Vote: Yeas 8, Nays 1.

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1008 be amended to read as follows:

Page 2, delete lines 3 through 6.

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Page 2, line 7, delete "(6)" and insert "(4)".
Page 2, line 8, delete "(7)" and insert "(5)".
Page 2, line 10, delete "(8)" and insert "(6)".
Page 2, line 11, delete "(9)" and insert "(7)".
Page 2, line 12, delete "(10)" and insert "(8)".
Page 2, line 13, delete "(11)" and insert "(9)".
Page 2, line 14, delete "(12)" and insert "(10)".
Page 2, line 15, delete "(13)" and insert "(11)".
Page 2, line 16, delete "(14)" and insert "(12)".

(Reference is to EHB 1008 as printed February 28, 2020.)

MESSMER

