Reprinted
January 26, 2016

HOUSE BILL No. 1272

DIGEST OF HB 1272 (Updated January 25, 2016 4:54 pm - DI 77)

Citations Affected: IC 25-1; IC 25-27.5; IC 25-35.6; IC 35-31.5; IC 35-48.

Synopsis: Professional licensing matters. Requires a practitioner to provide the Indiana professional licensing agency (agency) and the practitioner's specific board with certain information concerning continuing education. (Current law requires a practitioner to provide the information to a specific board.) Allows an individual who holds a professional or occupational license and is called to active duty to fulfill all continuing education requirements through distance learning. Allows the practitioner's specific board to conduct random audits of license renewals of practitioners required to take continuing education courses. Adds certain substances to the definition of "synthetic drugs". Makes the small business member of the jobs creation committee a voting member. Removes the requirement that the physician assistant's supervisory agreement specify each name or drug classification being delegated to the physician assistant. Makes changes to the speech-language pathology and audiology board concerning the date a chairperson is selected. Provides that an employee of the agency must keep information concerning a complaint regarding a regulated occupation confidential unless disclosure is required under law, required for the advancement of an investigation, or made to a law enforcement agency that has jurisdiction or is reasonably believed to have jurisdiction over a person or matter involved in the complaint.

Effective: July 1, 2016.

Zent, Bauer, Davisson, Bacon

January 11, 2016, read first time and referred to Committee on Public Health.
January 21, 2016, amended, reported — Do Pass.
January 25, 2016, read second time, amended, ordered engrossed.

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Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1272

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:

SECTION 1. IC 25-1-4-3, AS AMENDED BY P.L.157-2006, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) Notwithstanding any other law, a board that is specifically authorized or mandated to require continuing education as a condition to renew a registration, certification, or license must require a practitioner to comply with the following renewal requirements:

(1) The practitioner shall provide the board **and agency (established by IC 25-1-5-3)** with a sworn statement executed by the practitioner that the practitioner has fulfilled the continuing education requirements required by the board.

(2) The practitioner shall retain copies of certificates of completion for continuing education courses for three (3) years from the end of the licensing period for which the continuing education applied. The practitioner shall provide the board **and agency (established by IC 25-1-5-3)** with copies of the certificates of completion upon the board's request for a

compliance audit.

(b) Following every license renewal period, the **agency with consultation from the** board ~~shall~~ **may** randomly audit for compliance more than one percent (1%) but less than ten percent (10%) of the practitioners required to take continuing education courses.

SECTION 2. IC 25-1-4-3.2, AS AMENDED BY P.L.2-2008, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.2. **(a)** A board or agency regulating a profession or occupation under this title or under IC 16 or IC 22 shall require that at least one-half (1/2) of all continuing education requirements must be allowed by distance learning methods, except for doctors, nurses, chiropractors, optometrists, and dentists.

(b) An individual who is called to active duty (as defined by IC 25-1-12-2) must be allowed to fulfill all continuing education requirements for professional or occupational licenses administered through the Indiana professional licensing agency by distance learning methods.

SECTION 3. IC 25-1-7-10, AS AMENDED BY P.L.227-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) Except as provided in section 3(b) or 3(c) of this chapter, all complaints and information pertaining to the complaints shall be held in strict confidence until the attorney general files notice with the board of the attorney general's intent to prosecute the licensee.

(b) A person in the employ of the office of attorney general, ~~or any of the boards,~~ **the Indiana professional licensing agency,** or any person not a party to the complaint may not disclose or further a disclosure of information concerning the complaint unless the disclosure is:

(1) required under law;

(2) required for the advancement of an investigation; or

(3) made to a law enforcement agency that has jurisdiction or is reasonably believed to have jurisdiction over a person or matter involved in the complaint.

SECTION 4. IC 25-1-16-7, AS AMENDED BY P.L.112-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The committee consists of the following individuals:

(1) The executive director of the agency or the executive director's designee. The executive director or the executive director's designee shall serve as chairperson of the committee.

(2) The director of the office or the director's designee.

(3) The attorney general or the attorney general's designee, as a nonvoting member.

(4) An individual appointed by the governor who represents an association that has small businesses, small business owners, or licensed professionals as a majority of its members. ~~as a nonvoting member.~~ The member serves at the pleasure of the governor.

(5) Two (2) individuals appointed by the governor who are licensed in a regulated occupation.

(6) Two (2) individuals appointed by the governor who are not licensed in a regulated occupation.

(b) The term of a member appointed under subsection (a)(5) or (a)(6) is three (3) years.

(c) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure.

(d) Notwithstanding any other law, the term of a member appointed before July 1, 2014, under subsection (a)(5) or (a)(6) expires on July 1, 2014.

SECTION 5. IC 25-27.5-5-2, AS AMENDED BY P.L.197-2011, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) A physician assistant must engage in a dependent practice with physician supervision. A physician assistant may perform, under the supervision of the supervising physician, the duties and responsibilities that are delegated by the supervising physician and that are within the supervising physician's scope of practice, including prescribing and dispensing drugs and medical devices. A patient may elect to be seen, examined, and treated by the supervising physician.

(b) If a physician assistant determines that a patient needs to be examined by a physician, the physician assistant shall immediately notify the supervising physician or physician designee.

(c) If a physician assistant notifies the supervising physician that the physician should examine a patient, the supervising physician shall:

(1) schedule an examination of the patient in a timely manner unless the patient declines; or

(2) arrange for another physician to examine the patient.

(d) If a patient is subsequently examined by the supervising physician or another physician because of circumstances described in subsection (b) or (c), the visit must be considered as part of the same encounter except for in the instance of a medically appropriate referral.

(e) A supervising physician or physician assistant who does not

comply with subsections (b) through (d) is subject to discipline under IC 25-1-9.

(f) A physician assistant's supervisory agreement with a supervising physician must:

(1) be in writing;

(2) include all the tasks delegated to the physician assistant by the supervising physician;

(3) set forth the supervisory plans for the physician assistant, including the emergency procedures that the physician assistant must follow; and

(4) specify the ~~name of the drug or drug classification being delegated to the physician assistant and the~~ protocol the physician assistant shall follow in prescribing a drug.

(g) The physician shall submit the supervisory agreement to the board. The physician assistant may prescribe a drug under the supervisory agreement unless the board denies the supervisory agreement. Any amendment to the supervisory agreement must be resubmitted to the board, and the physician assistant may operate under any new prescriptive authority under the amended supervisory agreement unless the agreement has been denied by the board.

(h) A physician or a physician assistant who violates the supervisory agreement described in this section may be disciplined under IC 25-1-9.

SECTION 6. IC 25-35.6-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) There is established the speech-language pathology and audiology board.

(b) The board shall be comprised of six (6) members, who shall be appointed by the governor. Five (5) board members shall have been residents of this state for at least one (1) year immediately preceding their appointment and shall have been engaged in rendering services to the public, teaching, or research in speech-language pathology or audiology for at least five (5) years immediately preceding their appointment. At least two (2) board members shall be speech-language pathologists and at least two (2) shall be audiologists, with the fifth member being either a speech-language pathologist or audiologist. At least one (1) of these five (5) members must be engaged in an active private practice of speech-language pathology or audiology. The sixth member of the board, to represent the general public, shall be a resident of this state who has never been associated with speech-language pathology or audiology in any way other than as a consumer. Except for the member representing the general public, all board members shall at all times be holders of active and valid licenses for the practice of

speech-language pathology or audiology in this state.

(c) The governor shall also appoint one (1) nonvoting advisor, who must be a licensed physician and board certified in otolaryngology, to serve a four (4) year term of office on the board.

(d) Appointments shall be for three (3) year terms, with no person being eligible to serve more than two (2) full consecutive terms. Terms shall begin on the first day of the calendar year and end on the last day of the calendar year, except for the first appointed members, who shall serve through the last calendar day of the year in which they are appointed before commencing the terms prescribed by this subsection. Any member of the board may serve until the member's successor is appointed and qualified under this chapter.

(e) The governor may consider, but shall not be bound to accept, recommendations for board membership made by a statewide association for speech-language and hearing. A statewide association for speech-language and hearing may submit to the governor its recommendations for board membership not less than sixty (60) days before the end of each calendar year. In the event of a mid-term vacancy, such association may make recommendations for filling such vacancy.

(f) ~~The board shall meet during the first month of each calendar year to select a chairman and for other appropriate purposes. At least one (1) additional meeting shall be held before the end of each calendar year.~~ **At the first meeting of the board each year, members shall elect a chairperson for the subsequent twelve (12) month period.** Further meetings may be convened at the call of the ~~chairman~~ **chairperson** or the written request of any two (2) board members. All meetings of the board shall be open to the public, except that the board may hold closed sessions to prepare, approve, grade, or administer examinations or, upon request of an applicant who fails an examination, to prepare a response indicating any reason for ~~his~~ **the applicant's** failure. All meetings of the board must be held in Indiana.

(g) Four (4) members of the board constitute a quorum. A majority of the quorum may transact business.

SECTION 7. IC 35-31.5-2-321, AS AMENDED BY P.L.196-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 321. "Synthetic drug" means:

(1) a substance containing one (1) or more of the following chemical compounds, including an analog of the compound:

(A) JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).

(B) JWH-018 (1-pentyl-3-(1-naphthoyl)indole).

(C) JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole).
(D) JWH-073
(naphthalen-1-yl-(1-butylindol-3-yl)methanone).
(E) JWH-081 (4-methoxynaphthalen- 1-yl- (1-pentylindol-3-yl)methanone).
(F) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
(G) JWH-200 ((1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-yl-methanone).
(H) JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole).
(I) JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole).
(J) JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
(K) HU-210 ((6aR,10aR)- 9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-
6a,7,10,10a-tetrahydrobenzo [c]chromen- 1-ol).
(L) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol).
(M) HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan- 2-yl)phenyl]-
7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol).
(N) HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6-(1-methylethenyl)-2 -cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione).
(O) CP 55,940
(2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5- (2-methyloctan-2-yl)phenol).
(P) CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol) and its homologues, or
2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7.
(Q) WIN 55212-2
((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo [1,2,3-de)- 1,4- benzoxazin-
6-yl]-1-napthalenylmethanone).
(R) RCS-4 ((4-methoxyphenyl)
(1-pentyl-1H-indol-3-yl)methanone).
(S) RCS-8 (1-(1-(2-cyclohexylethyl)-1H-
indol-3-yl)-2-(2-methoxyphenyl)ethanone).
(T) 4-Methylmethcathinone. Other name: mephedrone.
(U) 3,4-Methylenedioxymethcathinone. Other name: methylone.

(V) Fluoromethcathinone.
(W) 4-Methoxymethcathinone. Other name: methedrone.
(X) 4-Ethylmethcathinone (4-EMC).
(Y) Methylenedioxypyrovalerone. Other name: MDPV.
(Z) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole.
(AA) JWH-098, or
1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole.
(BB) JWH-164, or
1-pentyl-3-(7-methoxy-1-naphthoyl)indole.
(CC) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole.
(DD) JWH-201, or
1-pentyl-3-(4-methoxyphenylacetyl)indole.
(EE) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole.
(FF) AM-694, or
1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
(GG) CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe
ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1
-yl] acetate.
(HH) Dimethylheptylpyran, or DMHP.
(II) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP.
(JJ) 6-APB [6-(2-aminopropyl)benzofuran].
(LL) 7-hydroxymitragynine.
(MM) α-PPP [α-pyrrolidinopropiophenone].
(NN) α-PVP (desmethylpyrovalerone).
(OO) AM-251.
(PP) AM-1241.
(QQ) AM-2201.
(RR) AM-2233.
(SS) Buphedrone.
(TT) Butylone.
(UU) CP-47,497-C7.
(VV) CP-47,497-C8.
(WW) Desoxypipradol.
(XX) Ethylone.
(YY) Eutylone.
(ZZ) Flephedrone.
(AAA) JWH-011.
(BBB) JWH-020.
(CCC) JWH-022.
(DDD) JWH-030.
(EEE) JWH-182.

(FFF) JWH-302.
(GGG) MDAI [5,6-methylenedioxy-2-aminoindane].
(HHH) Mitragynine.
(III) Naphyrone.
(JJJ) Pentedrone.
(LLL) Pentylone.
(MMM) Methoxetamine
[2-(3-methoxyphenyl)-2-(ethylamino)- cyclohexanone].
(NNN) A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)methanone].
(OOO) AB-001[(1s,3s)-admantan-1-yl)
(1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3-(1-adamantoyl)indole].
(PPP) AM-356 [Methanandamide].
(QQQ) AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-1H-indol-3-yl] tricyclo[3.3.1.13,7] dec-1-yl-methanone]or [(1-[(N-methylpiperindin-2-yl)
Methyl]-3-(Adamant-1-oyl)indole)].
(RRR) AM 2233 Azepane isomer [(2-iodophenyl) (1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone].
(SSS) CB-13 [1-Naphthalenyl
[4-(pentyoxy)- 1-naphthalenyl]methanone].
(TTT) UR-144 [(1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)-methanone].
(UUU) URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-cyclohexylcarbamate].
(VVV) URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid, cyclohexyl ester].
(WWW) URB 754 [6-methyl-2-[(4-methylphenyl) amino]-1-benzoxazin-4-one].
(XXX) XLR-11 or 5-fluoro UR-144
(1-(5-fluoropentyl)-1H-indol-3-yl)
(2,2,3,3-tetramethylcyclopropyl)methanone].
(YYY) AKB48 (Other names include: N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide; 1-pentyl-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indazole-3-carboxamide).
(ZZZ) 25I-NBOMe (Other names include: 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine);
2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine).

(AAAA) 2C-C-NBOMe (Other names include: 25C-NBOMe; 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine;
2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl) phenethylamine).
(BBBB) 2NE-1 (Other names include: 1-Pentyl-3-(1-adamantylamido)indole).
(CCCC) STS-135 (Other names include: N-Adamantyl-1-fluoropentylindole-3- carboxamide (1-5-fluoropentyl)-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indole-3-carboxamide).
(DDDD) PB-22 (Other names include: 1-Pentyl-8-quinolinlyl ester-1H-indole-2-carboxylic acid).
(EEEE) 5-Fluoro-PB-22 (Other names include: 1-(5-Fluropentyl)-8-quinolinyl ester1H-indole-3-carboxylic acid).
(FFFF) Benocyclidine (Other names include: BCP, BTCP, and Benzothiophenylcyclohexylpiperidine).
(GGGG) 25B-NBOMe (Other names include: 2C-B-NBOMe and 4-Bromo-2, 5-dimenthoxy-N-[(2-Methozyphenyl)methyl] benzeneethanamine).
(HHHH) APB (Other names include; (2-Aminopropyl) Benzofuran).
(IIII) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide.
(JJJJ) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).
(KKKK) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indaole-3-carboxamide).
(LLLL) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3-carboxamide).
(MMMM) APDB (Other names include: -EMA, -Desoxy-MDA, and (2-Aminopropyl)-2,3-dihydrobenzofuran).
(NNNN) THJ-2201 (Other names include: AM2201 indazole analog, Fluoropentyl-JWH-018 indazole, and 5-Fluoro-THJ-018).

(OOOO) AM 2201 benzimidazole analog (Other names include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone).

(PPPP) MN-25 (Other names include: 7-methoxy-1-[2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide and UR-12).

(QQQQ) FUB-PB-22 (Other names include: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).

(RRRR) FUD-PB-22 (Other names include: Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).

(SSSS) 5-Fluoro-AB-PINACA (Other names include: AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxaminde).

(TTTT) 4-MePPP (Other names include: 4-methyl-alpha-pyrrolidinopropiophenone).

(UUUU) alpha-PBP (Other names include: Alpha-pyrrolidinobutiophenone).

(VVVV) AB-CHMINACA (Other names include: (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide).

(WWWW) Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).

(2) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(3) Any compound structurally derived from 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3- morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any

extent.

(4) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(5) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(6) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not substituted in the cyclohexyl ring to any extent.

(7) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(8) Any compound, except bupropion or a compound listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified:

(A) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring

system by one or more other univalent substituents;

(B) by substitution at the 3-position with an acyclic alkyl substituent;

(C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(9) Any compound structurally derived from 3-tetramethyl cyclopropanoylindole with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl) ethyl, 1-(N-methyl-2-pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent.

(10) Any compound containing a N-(1-adamantyl)-1H-indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indazole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AKB48.

(11) Any compound containing a N-(1-adamantyl)-1H-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes STS-135.

(12) Any compound containing a 3-(1-adamantoyl)indole

structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AM-1248.

(13) Any compound determined to be a synthetic drug by rule adopted under IC 25-26-13-4.1.

SECTION 8. IC 35-48-2-4, AS AMENDED BY P.L.283-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) The controlled substances listed in this section are included in schedule I.

(b) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide) (9815)
Acetylmethadol (9601)
Allylprodine (9602)
Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9832)
Alphacetylmethadol (9603)
Alphameprodine (9604)
Alphamethadol (9605)
Alphamethylfentanyl (9814)
Benzethidine (9606)
Beta-hydroxy-3-methylfentanyl (9831). Other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide
Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830)
Betacetylmethadol (9607)
Betameprodine (9608)
Betamethadol (9609)
Betaprodine (9611)
Clonitazene (9612)
Dextromoramide (9613)
Diampromide (9615)

Diethylthiambutene (9616)
Difenoxin (9168)
Dimenoxadol (9617)
Dimepheptanol (9618)
Dimethylthiambutene (9619)
Dioxaphetyl butyrate (9621)
Dipipanone (9622)
Ethylmethylthiambutene (9623)
Etonitazene (9624)
Etoxeridine (9625)
Furethidine (9626)
Hydroxypethidine (9627)
Ketobemidone (9628)
Levomoramide (9629)
Levophenacylmorphan (9631)
3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenyl-propanimide](9813)
3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9833)
MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961)
Morpheridine (9632)
N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), including any isomers, salts, or salts of isomers (9818)
N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834)
Noracymethadol (9633)
Norlevorphanol (9634)
Normethadone (9635)
Norpipanone (9636)
Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide (9812)
Phenadoxone (9637)
Phenampromide (9638)
Phenomorphan (9647)
Phenoperidine (9641)
PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663)
Piritramide (9642)
Proheptazine (9643)
Properidine (9644)
Propiram (9649)
Racemoramide (9645)

Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) (9835)
Tilidine (9750)
Trimeperidine (9646)

(c) Opium derivatives. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine (9319)
Acetyldihydrocodeine (9051)
Benzylmorphine (9052)
Codeine methylbromide (9070)
Codeine-N-Oxide (9053)
Cyprenorphine (9054)
Desomorphine (9055)
Dihydromorphine (9145)
Drotebanol (9335)
Etorphine (except hydrochloride salt) (9056)
Heroin (9200)
Hydromorphinol (9301)
Methyldesorphine (9302)
Methyldihydromorphine (9304)
Morphine methylbromide (9305)
Morphine methylsulfonate (9306)
Morphine-N-Oxide (9307)
Myrophine (9308)
Nicocodeine (9309)
Nicomorphine (9312)
Normorphine (9313)
Pholcodine (9314)
Thebacon (9315)

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic, psychedelic, or psychogenic substances, their salts, isomers, and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers):

(1) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name: TCPy.

(2) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA.
(3) 4-Bromo-2, 5-dimethoxyphenethylamine (7392). Some trade or other names:
2-[4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.
(4) 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name: DOET.
(5) 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348). Other name: 2C-T-7.
(6) 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.
(7) 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA.
(8) 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other Name: MMDA.
(9) 5-Methoxy-N, N-diisopropyltryptamine, including any isomers, salts, or salts of isomers (7439). Other name: 5-MeO-DIPT.
(10) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and other names: 4-methyl-2,
5-dimethoxy-a-methylphenethylamine; DOM; and STP.
(11) 3, 4-methylenedioxy amphetamine (7400). Other name: MDA.
(12) 3,4-methylenedioxy-N-ethylamphetamine (7404). Other names: N-ethyl-alpha-methyl-3,4(methylenedioxy) phenethylamine; N-ethyl MDA; MDE; and MDEA.
(13) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
(14) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.
(15) Alpha-ethyltryptamine (7249). Some trade and other names: Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; [alpha]-ET; and AET.
(16) Alpha-methyltryptamine (7432). Other name: AMT.
(17) Bufotenine (7433). Some trade and other names: 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine; mappine.
(18) Diethyltryptamine (7434). Some trade or other names: N, N-Diethyltryptamine; DET.
(19) Dimethyltryptamine (7435). Some trade or other names:

DMT.

(20) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.

(21) Lysergic acid diethylamide (7315). Other name: LSD.

(22) Marijuana (7360).

(23) Mescaline (7381).

(24) Parahexyl (7374). Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.

(25) Peyote (7415), including:

(A) all parts of the plant that are classified botanically as lophophora williamsii lemaire, whether growing or not;

(B) the seeds thereof;

(C) any extract from any part of the plant; and

(D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.

(26) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.

(27) N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other names: N-hydroxy-alpha-methyl-3,4 (methylenedioxy)phenethylamine; and N-hydroxy MDA.

(28) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ.

(29) Psilocybin (7437).

(30) Psilocyn (7438).

(31) Tetrahydrocannabinols (7370), including synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:

(A) π^{1} cis or trans tetrahydrocannabinol, and their optical isomers;

(B) π^{6} cis or trans tetrahydrocannabinol, and their optical isomers; and

(C) $\pi^{3,4}$ cis or trans tetrahydrocannabinol, and their optical isomers.

Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered. Other name: THC.

(32) Ethylamine analog of phencyclidine (7455). Some trade or other names: N-Ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)

ethylamine; cyclohexamine; PCE.

(33) Pyrrolidine analog of phencyclidine (7458). Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP_y; PHP.

(34) Thiophene analog of phencyclidine (7470). Some trade or other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TPCP.

~~(35) Synthetic drugs (as defined in IC 35-31.5-2-321).~~

~~(36)~~ **(35)** Salvia divinorum or salvinorin A, including:

(A) all parts of the plant that are classified botanically as salvia divinorum, whether growing or not;

(B) the seeds of the plant;

(C) any extract from any part of the plant; and

(D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.

~~(37)~~ **(36)** 5-Methoxy-N,N-Dimethyltryptamine. Some trade or other names: 5-methoxy-3-[2- (dimethylamino)ethyl]indole; 5-MeO-DMT.

~~(38)~~ **(37)** 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).

~~(39)~~ **(38)** 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

~~(40)~~ **(39)** 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C).

~~(41)~~ **(40)** 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I).

~~(42)~~ **(41)** 2-[4-(Ethylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-2).

~~(43)~~ **(42)** 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-4).

~~(44)~~ **(43)** 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).

~~(45)~~ **(44)** 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).

~~(46)~~ **(45)** 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).

(e) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Gamma-hydroxybutyric acid (other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) (2010)

Mecloqualone (2572)

Methaqualone (2565)

(f) Stimulants. Unless specifically excepted or unless listed in

another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590)

Aminorex (1585). Other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine.

Cathinone (1235). Some trade or other names: 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone.

Fenethylline (1503).

N-Benzylpiperazine (7493). Other names: BZP; and 1-benzylpiperazine.

N-ethylamphetamine (1475).

Methcathinone (1237) Some other trade names: 2-Methylamino-1-Phenylpropan-I-one; Ephedrone; Monomethylpropion; UR 1431.

N, N-dimethylamphetamine (1480). Other names: N, N-alpha-trimethyl-benzeneethanamine; and N, N-alpha-trimethylphenethylamine.

(g) Synthetic drugs as defined in IC 35-31.5-2-321.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1272, 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 2, line 2, after "the" insert "**agency with consultation from the**".

Page 2, line 2, reset in roman "board".

Page 2, line 2, after "shall" insert "**may**".

Page 2, line 3, before "agency" reset in roman "randomly".

Page 2, line 3, delete "agency may randomly".

Page 2, line 3, reset in roman "more than one".

Page 2, line 4, reset in roman "percent (1%) but less than ten percent (10%)".

Page 2, line 4, delete "up to five percent (5%)".

and when so amended that said bill do pass.

(Reference is to HB 1272 as introduced.)

KIRCHHOFER

Committee Vote: yeas 12, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1272 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 5. IC 25-27.5-5-2, AS AMENDED BY P.L.197-2011, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) A physician assistant must engage in a dependent practice with physician supervision. A physician assistant may perform, under the supervision of the supervising physician, the duties and responsibilities that are delegated by the supervising physician and that are within the supervising physician's scope of practice, including prescribing and dispensing drugs and medical devices. A patient may elect to be seen, examined, and treated by the supervising physician.

(b) If a physician assistant determines that a patient needs to be examined by a physician, the physician assistant shall immediately notify the supervising physician or physician designee.

(c) If a physician assistant notifies the supervising physician that the physician should examine a patient, the supervising physician shall:

(1) schedule an examination of the patient in a timely manner unless the patient declines; or

(2) arrange for another physician to examine the patient.

(d) If a patient is subsequently examined by the supervising physician or another physician because of circumstances described in subsection (b) or (c), the visit must be considered as part of the same encounter except for in the instance of a medically appropriate referral.

(e) A supervising physician or physician assistant who does not comply with subsections (b) through (d) is subject to discipline under IC 25-1-9.

(f) A physician assistant's supervisory agreement with a supervising physician must:

(1) be in writing;

(2) include all the tasks delegated to the physician assistant by the supervising physician;

(3) set forth the supervisory plans for the physician assistant, including the emergency procedures that the physician assistant must follow; and

(4) specify the ~~name of the drug or drug classification being delegated to the physician assistant and the~~ protocol the physician assistant shall follow in prescribing a drug.

(g) The physician shall submit the supervisory agreement to the board. The physician assistant may prescribe a drug under the supervisory agreement unless the board denies the supervisory agreement. Any amendment to the supervisory agreement must be resubmitted to the board, and the physician assistant may operate under any new prescriptive authority under the amended supervisory agreement unless the agreement has been denied by the board.

(h) A physician or a physician assistant who violates the supervisory agreement described in this section may be disciplined under IC 25-1-9.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1272 as printed January 22, 2016.)

DAVISSON