

HOUSE BILL No. 1408

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-0.5-10-1; IC 25-1-20.1.

Synopsis: Occupational licensure reciprocity. 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.

Effective: July 1, 2021.

Carbaugh

January 14, 2021, read first time and referred to Committee on Employment, Labor and Pensions.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1408

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, 2021]: Sec. 1. As used in IC 25-1-1.1, **and** IC 25-1-8-6, **and**
4 **IC 25-1-20.1**, "board" means any of the entities described in this
5 chapter.

6 SECTION 2. IC 25-1-20.1 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2021]:

9 **Chapter 20.1. Endorsement of Licenses**
10 **Sec. 1. (a) This chapter does not apply to criteria for a license**
11 **that is established by an interstate compact.**

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

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

17 **(1) The Indiana auctioneer commission (IC 25-6.1-2-1).**



- 1 (2) The board of chiropractic examiners (IC 25-10-1).
 2 (3) The state board of cosmetology and barber examiners (IC
 3 25-8-3-1).
 4 (4) The home inspectors licensing board (IC 25-20.2-3-1).
 5 (5) The manufactured home installer licensing board (IC
 6 25-23.7).
 7 (6) The medical licensing board of Indiana (IC 25-22.5-2).
 8 (7) The occupational therapy committee (IC 25-23.5).
 9 (8) The Indiana board of pharmacy (IC 25-26).
 10 (9) The physician assistant committee (IC 25-27.5).
 11 (10) The board of podiatric medicine (IC 25-29-2-1).
 12 (11) The state psychology board (IC 25-33).
 13 (12) The state board of massage therapy (IC 25-21.8-2-1).
- 14 **Sec. 3. As used in this chapter, "license" means:**
 15 (1) an unlimited license, certificate, registration, or permit;
 16 (2) a limited or probationary license, certificate, registration,
 17 or permit;
 18 (3) a temporary license, certificate, registration, or permit;
 19 (4) an intern permit; or
 20 (5) a provisional license;
- 21 issued by a board regulating a profession or an occupation.
- 22 **Sec. 4. As used in this chapter, "regulated occupation" means a**
 23 **profession or occupation in which an individual must be licensed.**
- 24 **Sec. 5. (a) Except as provided in subsection (b) and section 6 of**
 25 **this chapter and notwithstanding any other law, the board shall**
 26 **issue a license for a regulated occupation to an individual if the**
 27 **individual applies for the license with the appropriate board and**
 28 **meets the following requirements, if such requirements are**
 29 **applicable to the appropriate board:**
 30 (1) Has a valid license to practice from another state or
 31 jurisdiction for the same regulated occupation that is
 32 substantially equivalent to the license type being applied for.
 33 (2) Has documented the individual's residency in Indiana,
 34 which may include evidence of a valid Indiana driver's license
 35 or identification card.
 36 (3) Has passed an examination that the appropriate board has
 37 determined to be substantially equivalent to the level of
 38 license for which a license is being applied.
 39 (4) Does not have a pending complaint, allegation,
 40 investigation, or disciplinary proceeding in another state or
 41 jurisdiction.
 42 (5) Has not had a license revoked or suspended and has not



- 1 voluntarily surrendered a license in any other state or
 2 jurisdiction while under investigation for unprofessional
 3 conduct.
 4 (6) Has not had discipline imposed by the regulating entity in
 5 another state or jurisdiction.
 6 (7) Pays a fee determined by the board that is reviewing the
 7 application.
 8 (8) Completes the licensure application form as required by
 9 the board.
- 10 (b) If a board described in subsection (a) requires that an
 11 individual submit to a national criminal history background check
 12 (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for
 13 a regulated occupation, the board may still maintain this
 14 requirement, even if the individual applies for the license and
 15 meets the requirements set forth in subsection (a).
- 16 **Sec. 6. (a) If a board has entered into a:**
 17 (1) national reciprocal or endorsement agreement; or
 18 (2) reciprocal or endorsement agreement with one (1) or more
 19 states;
 20 those agreements remain in effect.
- 21 (b) Nothing in this chapter prevents or supersedes a:
 22 (1) compact; or
 23 (2) reciprocity or comity agreement;
 24 established by the general assembly or a board.

