

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1555

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 25-1-17-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 1.5. As used in this chapter, "dependent" means a natural child, stepchild, or adopted child of a parent who is a member of the armed forces of the United States and who is less than twenty-six (26) years of age and at the time of application under this chapter:**

(1) resides with the parent; or

(2) is:

(A) enrolled in and regularly attending a secondary school; or

(B) a full-time student at an accredited college or university;

in Indiana.

SECTION 2. IC 25-1-17-4, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 4. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military service applicant to allow the applicant to practice the applicant's occupation in Indiana if, upon application to a licensing board, the applicant satisfies the following conditions:**

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(1) **Either:**

(A) has:

- ~~(A)~~ (i) completed a military program of training;
- ~~(B)~~ (ii) been awarded a military occupational specialty; and
- ~~(C)~~ (iii) performed in that occupational specialty;

at a level that is substantially equivalent to or exceeds the academic or experience requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit; or

(B) has:

- (i) a current license, certification, registration, or permit from another jurisdiction, and that jurisdiction's requirements for a license, certificate, registration, or permit are substantially equivalent to or exceed the requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit; and
- (ii) held the license, certification, registration, or permit described in item (i) for at least one (1) year.

~~(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certificate, registration, or permit from the board for at least two (2) of the five (5) years preceding the date of the application under this section.~~

~~(3) (2) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.~~

(3) Does not have a complaint or investigation pending before an occupational licensing board that relates to unprofessional conduct or an alleged crime.

(4) Pays the fees required by the board from which the applicant is seeking licensure, certification, registration, or a permit.

SECTION 3. IC 25-1-17-5, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military spouse **or dependent** to allow the military spouse **or dependent** to practice the military spouse's **or dependent's** occupation in Indiana if, upon application to the board, the military spouse **or dependent** satisfies the following conditions:

- (1) Holds a current license, certification, registration, or permit from another jurisdiction, and that jurisdiction's requirements for

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a license, certificate, registration, or permit are substantially equivalent to or exceed the requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.

(2) Can demonstrate competency in the occupation through methods as determined by the board. ~~including having completed continuing education units or having had recent experience for at least two (2) of the five (5) years preceding the date of the application under this section.~~

(3) Has held the license, certification, registration, or permit required under subdivision (1) for at least one (1) year.

~~(3)~~ **(4)** Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.

~~(4)~~ **(5)** Is in good standing and has not been disciplined by the agency that has jurisdiction to issue the license, certification, registration, or permit.

(6) Does not have a complaint or investigation pending before an occupational licensing board that relates to unprofessional conduct or an alleged crime.

~~(5)~~ **(7)** Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, registration, or a permit.

SECTION 4. IC 25-1-17-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. Notwithstanding any other law, the board shall issue a license to an applicant who is a member of the military, a military spouse, or a dependent, upon application based on work experience in another state, if the applicant satisfies the following conditions:**

(1) Has worked in a state that does not use a license to regulate a lawful occupation, but a license to regulate a lawful occupation with a similar scope of practice is required in Indiana, as determined by the board.

(2) Has worked for at least three (3) years in the lawful occupation.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.



(4) Is in good standing and has not been disciplined by the agency that has jurisdiction to issue the license, certification, registration, or permit.

(5) Does not have a complaint or investigation pending before an occupational licensing board that relates to unprofessional conduct or an alleged crime.

(6) Pays any fees required by the board for which the applicant is seeking licensure, certification, registration, or a permit.

SECTION 5. IC 25-1-17-6, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) All relevant experience of a:

- (1) military service member in the discharge of official duties; or
- (2) military spouse **or dependent**, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity;

must be credited in the calculation of years of practice in an occupation as required under section 4 or 5 of this chapter.

(b) In determining if a military service member substantially meets the academic requirements for a license, certificate, registration, or permit issued by a board, the board shall consider the recommendations in the Guide to the Evaluation of Educational Experiences in the Armed Services published by the American Council on Education, or the council's successor organization.

SECTION 6. IC 25-1-17-7, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. **(a) This section does not apply to a member of the military, a military spouse, or a dependent who applies for a license, certificate, registration, or permit issued by a board under IC 25-34.1.**

(b) A nonresident who is issued a license, certificate, registration, or permit under this chapter is entitled to the same rights and subject to the same obligations as required of a resident who is issued a license, certificate, registration, or permit by a board.

SECTION 7. IC 25-1-17-8, AS AMENDED BY P.L.116-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) Notwithstanding any other law, an applicant for a license is entitled to a provisional license in the regulated occupation applied for and at the same practice level as determined by the board, without an examination, if all of the following conditions are met:

- (1) The person submits a signed affidavit affirming, under the

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penalties for perjury, the following:

- (A) The person is the spouse **or dependent** of a member of the military service assigned to Indiana.
 - (B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.
 - (C) The person has not had a license revoked and has not voluntarily surrendered a license in another state or country while under investigation for unprofessional conduct.
 - (D) The person has not had discipline imposed by the regulating entity for the regulated occupation in another state or country.
 - (E) The person does not have **a complaint or** an investigation pending before the regulating entity in another state or country that relates to unprofessional conduct.
- (2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.
 - (3) The person does not have a disqualifying criminal history, as determined by the board, if a national criminal history background check (as defined in IC 25-1-1.1-4) is required under IC 25-1-1.1-4 for the regulated occupation for which the applicant seeks a license.
 - (4) The person has submitted an application for a license with the board and has paid any application fee.
- (b) An applicant who has met the requirements in subsection (a) shall be issued a provisional license not more than thirty (30) days after the requirements are met.
 - (c) A provisional license expires three hundred sixty-five (365) days after it is issued.
 - (d) In addition to any other penalties for perjury, a person who violates this section commits a Class A infraction.
 - (e) If the board discovers that any of the information submitted under this section is false, the board may immediately revoke the person's provisional license.
 - (f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.
 - (g) This section does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board or a law.

SECTION 8. IC 25-1-17-10, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2023]: Sec. 10. This chapter does not prohibit a military service applicant, ~~or~~ military spouse, **or dependent** from proceeding under other licensure, certification, registration, or permit requirements established by a board.

SECTION 9. IC 25-1-17-11, AS AMENDED BY P.L.78-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. The board shall expedite the issuance or renewal of a:

- (1) license;
- (2) certificate;
- (3) registration; or
- (4) permit;

of a military spouse whose husband or wife, **or a dependent whose parent**, is assigned to a duty station in Indiana.

SECTION 10. IC 25-1-17-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 12. An applicant under this chapter may appeal under IC 4-21.5 the following decisions of the board:**

- (1) Denial of a license.**
- (2) Determination of the occupation.**
- (3) Determination of the similarity of the scope of practice of the license issued.**
- (4) Any other final determination under this chapter.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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