

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1569

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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 25-0.5-1-6, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. IC 25-1-1.1-4 applies to an individual licensed ~~or certified~~ under IC 25-14.5 (dietitians).

SECTION 2. IC 25-0.5-2-26, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 26. IC 25-1-2-2.1 applies to ~~certifications~~ **licenses** held by dietitians.

SECTION 3. IC 25-0.5-3-36, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 36. IC 25-1-2-6(b) applies to the Indiana dietitians ~~certification~~ **licensing** board.

SECTION 4. IC 25-0.5-4-9, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. The Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a board under IC 25-1-4.

SECTION 5. IC 25-0.5-5-20, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1)

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under IC 25-1-5-3(a).

SECTION 6. IC 25-0.5-6-19, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 19. An individual licensed, certified, registered, or permitted by the Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a provider under IC 25-1-5-10.

SECTION 7. IC 25-0.5-8-30, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 30. An occupation for which a person is licensed, certified, or registered by the Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a regulated occupation under IC 25-1-7.

SECTION 8. IC 25-0.5-9-32, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 32. The Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a board under IC 25-1-8.

SECTION 9. IC 25-0.5-10-9, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. The Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a board under IC 25-1-8-6.

SECTION 10. IC 25-0.5-11-19, AS ADDED BY P.L.3-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 19. The Indiana dietitians ~~certification~~ **licensing** board (IC 25-14.5-2-1) is a board under IC 25-1-9.

SECTION 11. IC 25-1-1.1-0.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO BE READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 0.7. As used in this chapter, "conviction of concern" means a criminal conviction directly related to the duties and responsibilities of the occupation or profession for which the individual is applying or holds a license or certification as set by the board.**

SECTION 12. IC 25-1-1.1-6, AS ADDED BY P.L.182-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) This section applies to a license or certificate under this title that is in effect on July 1, 2018, or created on or established after that date.

(b) As used in this section, "crime" has the meaning set forth in IC 33-23-1-4.

(c) As used in this section, "criminal history information" has the meaning set forth in IC 5-2-4-1.

(d) Not later than November 1, 2018, a board, commission, or committee shall revise its licensing or certification requirements to the extent necessary to explicitly list the crimes that ~~will~~ **may** disqualify an



individual from receiving a license or certificate under this title. The board, commission, or committee may not:

- (1) use nonspecific terms, such as moral turpitude or good character, as a licensing or certification requirement; or
- (2) consider an arrest that does not result in a conviction.

(e) A board's, commission's, or committee's use of an individual's conviction of a crime as a ~~disqualifying criminal~~ **conviction of concern** is limited to a crime ~~that is specifically and~~ directly related to the duties and responsibilities of the occupation or profession for which the individual is applying for or holds a license or certification.

~~(f) If an applicant has a disqualifying criminal history; the board; commission; or committee shall consider the following in determining whether to deny a license to the applicant, based on a clear and convincing showing:~~

- ~~(1) The nature and seriousness of the crime for which the individual was convicted.~~
- ~~(2) The passage of time since the commission of the crime.~~
- ~~(3) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.~~
- ~~(4) Evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.~~

~~(g) (f) If an individual has a disqualifying criminal conviction;~~ **conviction of concern**, the period of disqualification may not exceed five (5) years after the date of the conviction, unless the individual:

- (1) was convicted of a crime of violence (as defined by IC 35-50-1-2(a));
- (2) was convicted of an offense relating to a criminal sexual act (as defined by IC 35-31.5-2-216); or
- (3) is convicted of a second or subsequent crime during the disqualification period.

~~(h) (g) An individual having a misdemeanor or felony criminal conviction of concern may at any time petition a board, commission, or committee requiring a license or certificate for a determination as to whether the individual's misdemeanor or felony criminal conviction of concern will disqualify the individual from receiving the license or certification. An individual filing a petition under this subsection must submit:~~ **shall submit the following:**

- ~~(1) the individual's criminal history information or an authorization for the board; commission; or committee to obtain~~



the individual's criminal history information; and **At no expense to the state, a national criminal background check by the Federal Bureau of Investigation.**

(2) Any additional information requested by the board, commission, or committee to assist the board, commission, or committee in its review of the individual's petition.

**(h) If an individual has a conviction of concern, the board, commission, or committee shall consider the following in determining whether to deny a license or certification to the individual based on the following factors:**

**(1) The nature and seriousness of the crime for which the individual was convicted.**

**(2) The passage of time since the commission of the crime.**

**(3) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.**

**(4) Evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.**

**(i) If a board, commission, or committee ~~denies~~ determines an individual's conviction of concern disqualifies the individual from receiving a license or certification solely or in part because of the applicant's individual's criminal history, the board, commission, or committee shall notify the individual in writing of the following:**

**(1) The grounds and reasons for the denial or disqualification.**

**(2) The applicant individual has the right to a hearing to challenge the licensing authority's decision.**

**(3) The earliest date the applicant individual may reapply for a license or certification or the earliest date the individual can petition the board, commission, or committee for a review.**

**(4) Evidence of rehabilitation may be considered upon reapplication.**

**(5) Findings for each of the factors specified in subdivisions (1) through (4).**

Any written determination by the board, commission, or committee that an individual's criminal history is specifically listed as a disqualifying conviction and is directly related to the duties and responsibilities for the licensed occupation must be documented in written findings for each of the factors specified in subdivisions (1) through (4) by clear and convincing evidence sufficient for review by a court. In an



administrative hearing or civil action reviewing the denial of a license; a board, commission, or committee has the burden of proof on the question of whether the individual's criminal history directly relates to the occupation for which the license is sought. **Any written determination that an individual's criminal history contains a conviction of concern that merits the denial of a license must be documented in written findings under subdivision (1) by clear and convincing evidence sufficient for review by a court. In an administrative hearing or a civil action reviewing the denial of a license, a board, commission, or committee has the burden of proof on the question of whether the individual's criminal history, based on the standards provided in subsection (h), should lead to the denial of a license.**

(j) The board, commission, or committee shall inform the individual of its determination concerning the individual's petition not later than ~~thirty (30)~~ **sixty (60)** days after the petition, criminal history information, and any other information requested under subsection ~~(h)~~ **(g)** is received by the board, commission, or committee.

(k) The board, commission, or committee may charge a fee established under IC 25-1-8 that does not exceed twenty-five dollars (\$25) to pay its costs of reviewing a petition filed under subsection ~~(h)~~ **(g)**.

(l) A board, commission, or committee may adopt rules under IC 4-22-2 to implement this section, including emergency rules under IC 4-22-2-37.1. **Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the board, commission, or committee under this section and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the board, commission, or committee under IC 4-22-2-24 through IC 4-22-2-36.**

SECTION 13. IC 25-13-3-5, AS ADDED BY P.L.30-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A dental hygienist who meets the following requirements may provide preventive dental hygiene services directly to a patient without a prior examination, presence, or authorization of the access practice dentist:

- (1) The dental hygienist is licensed under IC 25-13-1.
- (2) The dental hygienist has at least two thousand (2,000) documented clinical hours of dental hygiene services during two (2) years of active practice under the direct supervision of a dentist.
- ~~(3) The dental hygienist obtains and maintains a national provider~~



**identifier number:**

~~(4)~~ (3) The dental hygienist has entered into an access practice agreement that meets the requirements under section 6 of this chapter with a licensed dentist.

~~(5)~~ (4) The dental hygienist maintains liability insurance that meets the requirements under section 10 of this chapter.

~~(6)~~ (5) Before providing dental hygiene services to a patient under an access practice agreement, the dental hygienist has obtained a signed consent form that includes the information under section 11 of this chapter.

~~(7)~~ (6) The dental hygienist has met any other requirements of this chapter.

(b) A dental hygienist who meets the requirements under subsection (a) and has provided preventive dental hygiene services directly to a patient under an access practice agreement may not perform subsequent therapeutic procedures on the patient under an access practice agreement until after the access practice dentist has performed a clinical evaluation of the patient.

SECTION 14. IC 25-14-1-5, AS AMENDED BY P.L.103-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The board may at its discretion issue a ~~limited~~ dental residency permit to a school for use by any student or former student to whom it has not issued a license but who is attending or is a graduate of a dental college recognized by the board and is completing a residency program. However, the school shall furnish the board with satisfactory evidence that the student or former student is enrolled in an accredited dental residency or fellowship program and is using the permit only for school purposes. The school shall maintain the permit at the school.

(b) The fee for the permit shall be set by the board under section 13 of this chapter.

(c) Any person using a school's ~~limited~~ dental residency permit may practice dentistry only in a hospital or other board approved institution designated in the permit and only under the direction of a licensed dentist who is a member of the dental staff of the hospital or other institution. The dental practice shall be limited to bona fide patients of the hospital or other institution.

(d) The permit:

(1) shall be:

(A) valid for only one (1) year from date of issue; and

(B) renewable in the discretion of the board upon the payment of a fee determined by the board under section 13 of this



chapter; and

(2) may be recalled at any time by the board.

SECTION 15. IC 25-14-1-5.5, AS AMENDED BY P.L.264-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.5. (a) The board may issue a ~~limited~~ dental faculty license. An applicant for a license under this section must meet the following requirements:

(1) Be a graduate of an American Dental Association recognized dental program, as determined by the board.

(2) Be employed by a recognized dental school.

(b) An individual granted a ~~limited~~ dental faculty license under this section:

(1) may use the license only to practice at the school where the individual is employed and as a part of the individual's research or teaching responsibilities; and

(2) may not use the license to obtain:

(A) a license under section 3 of this chapter; or

(B) reciprocity or endorsement under this article.

(c) The board shall set the license fee under section 13 of this chapter.

SECTION 16. IC 25-14-1-27.5, AS AMENDED BY P.L.103-2011, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 27.5. (a) The board may issue an instructor's license to an individual who is not otherwise licensed to practice dentistry in Indiana if the individual meets the following conditions:

(1) The individual has been licensed or has had the equivalent of a license for five (5) of the preceding nine (9) years to practice dentistry in the United States or in any country, territory, or other recognized jurisdiction.

(2) The individual has been approved under the credentialing process of an Indiana school of dentistry or an affiliated medical center of an Indiana school of dentistry that is accredited by:

(A) the American Dental Association Commission on Dental Accreditation; or

(B) the Joint Commission on Accreditation of Health Care Organizations.

(3) The individual has successfully documented or demonstrated clinical and academic competency to the board.

(4) The individual is fluent in the English language.

(5) The individual passes the written law examination administered by the board.

(6) The individual meets the continuing education requirements



required by IC 25-14-3.

(7) The individual pays the licensing fee set by the board under subsection (f).

(b) A license issued under this section must be held by the Indiana school of dentistry for which the licensee is employed.

(c) A license issued under this section does not meet the requirements of section 16 of this chapter and may not be used to obtain a general dentistry license under this article.

(d) A licensee under this section may teach and practice dentistry only at or on behalf of an Indiana school of dentistry or an affiliated medical center of an Indiana school of dentistry.

(e) An instructor's license is valid only during the time the licensee is employed or has a valid employment contract for a full-time faculty position at the Indiana school of dentistry or an affiliated medical center. The Indiana school of dentistry or the affiliated medical center shall notify the board in writing upon the termination of the employment contract of an individual who is issued a license under this section and surrender the license not later than thirty (30) days after the licensee's employment ceases.

(f) The board shall set a fee for the issuance and renewal of a license under this section.

(g) Unless renewed, a license issued by the board under this section expires annually on a date specified by the agency under IC 25-1-5-4. An applicant for renewal must pay the renewal fee set by the board on or before the renewal date specified by the agency.

~~(h) Not more than ten percent (10%) of the Indiana school of dentistry's full-time faculty may be individuals licensed under this section.~~

~~(i)~~ **(h)** The board shall adopt rules under IC 4-22-2 necessary to implement this section.

SECTION 17. IC 25-14.5-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. "Board" refers to the Indiana dietitians ~~certification~~ **licensing** board established by IC 25-14.5-2-1.

SECTION 18. IC 25-14.5-1-4 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 4. "~~Certified dietitian~~" refers to a person ~~certified under this article to practice dietetics. Activities of a certified dietitian do not include the medical differential diagnoses of the health status of an individual.~~

SECTION 19. IC 25-14.5-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. "Examination" means an examination for the ~~certification~~ **licensure** of dietitians used





or approved by the board. The examination may be created by the board, created by a person as determined by and approved by the board, or created in part by the board and in part by a person or entity other than the board.

SECTION 20. IC 25-14.5-1-8.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 8.8. "Licensed dietitian" means an individual:**

**(1) certified under this article before July 1, 2019; or**

**(2) licensed under this article after June 30, 2019;**

**to practice dietetics. Activities of a licensed dietitian do not include the medical differential diagnoses of the health status of an individual.**

SECTION 21. IC 25-14.5-1-10, AS AMENDED BY P.L.131-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 10. "Medically prescribed diet" means a diet that is:**

**(1) prescribed when specific food or nutrient levels need to be monitored or altered, or both, as a component of a treatment regimen for an individual whose health status is impaired or at risk due to disease, injury, or surgery; and**

**(2) performed as initiated by or in consultation with a physician licensed to practice medicine in Indiana or ordered by a ~~qualified~~ licensed dietitian.**

SECTION 22. IC 25-14.5-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 13. "Practice experience" means a preprofessional, documented, supervised practice in dietetics services that is acceptable to the board in compliance with requirements for ~~certification~~ licensure. It may be or may include a documented, supervised practice experience that is a component of the educational requirements for ~~certification~~ licensure.**

SECTION 23. IC 25-14.5-1-15 IS REPEALED [EFFECTIVE JULY 1, 2019]. **Sec. 15. "~~Qualified dietitian~~" means an individual who is ~~certified under this article~~.**

SECTION 24. IC 25-14.5-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 1. The Indiana dietitians ~~certification~~ licensing board is established.**

SECTION 25. IC 25-14.5-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2. The board consists of seven (7) members appointed by the governor as follows:**

**(1) Four (4) members who are ~~certified under this article~~ licensed dietitians and currently provide and have provided services in the**



practice of dietetics in Indiana for a minimum of three (3) years.

(2) One (1) member who is a physician licensed under IC 25-22.5.

(3) One (1) member who is a registered nurse licensed under IC 25-23.

(4) One (1) member representing the public who is a resident of Indiana and has never been associated with dietetics in any way other than as a consumer.

SECTION 26. IC 25-14.5-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The board shall adopt rules under IC 4-22-2 establishing standards for:

(1) professional responsibility or a code of ethics for the profession of dietetics;

(2) applicant qualifications of a **certified licensed** dietitian;

(3) the administration of this article;

(4) the number of hours of continuing education needed for renewal of **certification licensure** and the procedures for approving continuing education courses and programs; and

(5) establishing fees under IC 25-1-8-2 as described in subsection (b).

(b) The board shall establish, charge, and collect fees under IC 25-1-8-2 for:

(1) the filing of an application for a **certificate license** under this article;

(2) the original issuance of a **certificate license** under this article;

(3) a renewal of a **certificate license** issued in accordance with this article;

(4) the replacement of a **certificate license** or renewal **certificate license** lost or destroyed; and

(5) any other purposes prescribed by IC 25-1-8-2.

SECTION 27. IC 25-14.5-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The board may require a person who applies for a **certified licensure as a dietitian certificate under this article** to have:

(1) completed a major course of study in human nutrition, nutrition education, food and nutrition, and dietetics or food systems management; and

(2) received a baccalaureate or higher degree from a regionally accredited college or university located in the United States or its territories.

SECTION 28. IC 25-14.5-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The board may require a person who:

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(1) applies for a ~~certificate licensure~~ as a ~~certified~~ dietitian **under this article**; and

(2) has obtained the person's education outside of the United States and its territories;

to have the person's academic degree or degrees validated by an organization approved by the board. The validating organization must state that the degree is equivalent to a baccalaureate or master's degree conferred by a regionally accredited college or university located in the United States.

SECTION 29. IC 25-14.5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The board may require a person who applies for a ~~certificate licensure~~ as a ~~certified~~ dietitian **under this article** to have completed a documented, supervised practice experience of not less than nine hundred (900) hours under the supervision of a ~~certified licensed~~ dietitian or a registered dietitian.

SECTION 30. IC 25-14.5-4-1, AS AMENDED BY P.L.180-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. To qualify for a ~~certificate license~~ under this article, an individual must do the following:

- (1) Satisfy the requirements of IC 25-14.5-3.
- (2) Satisfactorily complete an application for ~~certification, licensure~~, furnished by the board, in accordance with the rules adopted by the board.
- (3) Pay the application, examination, and ~~certification licensure~~ fees established by the board.
- (4) Except to the extent that section 4 of this chapter applies, successfully pass the qualifying examination adopted by the board as described in IC 25-14.5-5.

SECTION 31. IC 25-14.5-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. Except as provided in section 3 of this chapter, the board shall issue a ~~certificate license~~ to an individual who:

- (1) meets the conditions set forth in section 1 of this chapter; and
- (2) is otherwise qualified for ~~certification licensure~~ under this article.

SECTION 32. IC 25-14.5-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The board may refuse to issue a ~~certificate license~~ to an applicant for ~~certification licensure~~ under section 2 of this chapter if:

- (1) the applicant has been disciplined by an administrative agency in another state or jurisdiction, and the board determines that the



violation for which the applicant was disciplined has a direct bearing on the applicant's ability to practice competently in Indiana; or

(2) the applicant has been convicted of:

(A) an act that would constitute a ground for disciplinary sanction under IC 25-1-9; or

(B) a crime that has a direct bearing on the applicant's ability to practice competently.

SECTION 33. IC 25-14.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Except as provided in subsection (b), the board may issue a ~~certificate license~~ **certificate license** to an applicant for ~~certification licensure~~ **certification licensure as a dietitian under this article** if the applicant presents evidence that the applicant has been issued a ~~certificate license~~ **certificate license** in a state that has requirements for ~~certification licensure~~ **certification licensure** that are, by the board's determination, equivalent to the requirements for ~~certification licensure~~ **certification licensure** in Indiana. An applicant applying for a ~~certificate license~~ **certificate license** under this subsection is not required to take an examination given by the board under IC 25-14.5-5.

(b) The board may refuse to issue a ~~certificate license~~ **certificate license** under subsection (a) if the applicant has failed an examination given by the board under IC 25-14.5-5.

(c) The fee an applicant for ~~certification licensure~~ **certification licensure** must pay for a ~~certificate license~~ **certificate license** issued under subsection (a) shall be set by the board under IC 25-14.5-2-5.

SECTION 34. IC 25-14.5-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. All ~~certificates licenses issued under this article~~ **certificates licenses issued under this article** shall be effective when issued by the board.

SECTION 35. IC 25-14.5-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A ~~certified licensed~~ **certified licensed** dietitian must display the ~~certificate license~~ **certificate license** in a conspicuous part of the office in which the ~~certified licensed~~ **certified licensed** dietitian practices nutrition therapy services.

(b) Whenever practicing the profession of dietetics outside of or away from the office or place of business, the ~~certified licensed~~ **certified licensed** dietitian shall make available to each patient the ~~certified licensed~~ **certified licensed** dietitian's name, office address, and the number of the ~~certificate license~~ **certificate license**.

SECTION 36. IC 25-14.5-6-1, AS AMENDED BY P.L.177-2015, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) ~~Subject to IC 25-1-2-6(c)~~; A certificate issued by the board **before July 1, 2019**, expires on a date established



by the agency under IC 25-1-5-4 in the next even-numbered year following the year in which the certificate was issued.

(b) An individual **who holds a certificate issued by the board before July 1, 2019**, may **renew a convert the certificate to a license to practice dietetics** by paying a renewal fee on or before the expiration date of the certificate. **The board shall consider an application for renewal of a certificate under this section as an application for renewal of a license issued under this article.**

(c) If an individual fails to pay a renewal fee on or before the expiration date of a certificate, the certificate becomes invalid.

**(d) This section expires January 1, 2021.**

SECTION 37. IC 25-14.5-6-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 1.1. (a) Subject to IC 25-1-2-6(e), a license issued under this article expires on a date established by the agency under IC 25-1-5-4 in the next even-numbered year following the year in which the license was issued.**

**(b) An individual who holds a license issued under this article may renew the license by:**

- (1) paying, on or before the expiration date of the license, a renewal fee set by the board; and**
- (2) subject to IC 25-1-4-3, providing a sworn statement attesting that the licensed dietitian has completed the continuing education required by the board.**

**(c) If an individual fails to pay a renewal fee under subsection (b) on or before the expiration date of the individual's license, the license becomes invalid.**

SECTION 38. IC 25-14.5-6-2 IS REPEALED [EFFECTIVE JULY 1, 2019]. **Sec. 2: A certified dietitian may renew a certificate by:**

- (1) paying a renewal fee as set by the board; and**
- (2) subject to IC 25-1-4-3, providing a sworn statement attesting that the certified dietitian has completed the continuing education required by the board.**

**IC 25-1-2-6(e) applies to the issuance and renewal of a certificate under this article:**

SECTION 39. IC 25-14.5-6-3, AS AMENDED BY P.L.177-2015, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 3. (a) The board shall mail an application for renewal to a certified dietitian At least ninety (90) days before the expiration date on which the certified dietitian's of a certificate expires: issued under this article before July 1, 2019, the board shall mail an application for renewal to the certificate holder.**



(b) The application must be mailed to the ~~certified dietitian's certificate holder's~~ most recent address as it appears on the record of the board.

(c) ~~A certified dietitian filing for renewal of An individual who holds a certificate must: issued under this article before July 1, 2019, may convert the certificate to a license to practice dietetics by:~~

- (1) satisfactorily ~~complete~~ **completing** the renewal application;
- (2) ~~return~~ **returning** the application to the board; and
- (3) ~~submit~~ **submitting** to the board the required renewal fee;

~~before expiration of the certified dietitian's current individual's certificate.~~

(d) Upon receipt of the application and fee submitted under subsection (c), the board shall:

- (1) verify the accuracy of the application;
- (2) determine whether the continuing education requirement has been met; and
- (3) verify that all other requirements under this article have been met.

(e) When the board is satisfied that all conditions under subsection (d) have been met, the board shall issue to the applicant a ~~notice of certificate renewal~~ **license to practice dietetics** that shall be valid for two (2) years.

**(f) This section expires January 1, 2021.**

SECTION 40. IC 25-14.5-6-3.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 3.1. (a) The board shall mail an application for renewal to a licensed dietitian at least ninety (90) days before the date on which the licensed dietitian's license expires.**

**(b) The application must be mailed to the licensed dietitian's most recent address as it appears on the record of the board.**

**(c) A licensed dietitian filing for renewal of a license must:**

- (1) satisfactorily complete the renewal application;**
- (2) return the application to the board; and**
- (3) submit to the board the required renewal fee;**

**before expiration of the licensed dietitian's current license.**

**(d) Upon receipt of the application and fee submitted under subsection (c), the board shall:**

- (1) verify the accuracy of the application;**
- (2) determine whether the continuing education requirement has been met; and**
- (3) verify that all other requirements under this article have**



been met.

**(e) When the board is satisfied that all conditions under subsection (d) have been met, the board shall issue to the applicant a notice of license renewal that is valid for two (2) years.**

SECTION 41. IC 25-14.5-6-4, AS AMENDED BY P.L.105-2008, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A ~~certificate~~ **license** may be reinstated by the board not later than three (3) years after its expiration if the applicant for reinstatement meets the requirements under IC 25-1-8-6(c).

(b) A ~~certificate~~ **license** that has been expired for more than three (3) years may be reinstated by the board if the holder of the ~~certificate~~ **license** satisfies the requirements for reinstatement under IC 25-1-8-6(d).

SECTION 42. IC 25-14.5-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The board may classify a ~~certificate~~ **license** as inactive if the board receives written notification from a ~~certified licensed~~ **dietitian** stating that the ~~certified licensed~~ **dietitian** will not maintain an office or practice dietetics in Indiana.

(b) The renewal fee for an inactive ~~certificate~~ **license** must be one-half (1/2) the ~~certificate~~ **license** renewal fee set by the board under IC 25-14.5-2-5(b)(3).

(c) The holder of an inactive ~~certificate~~ **license** is not required to fulfill continuing education requirements set by the board.

SECTION 43. IC 25-14.5-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. The board may issue a ~~certificate~~ **license** to the holder of an inactive ~~certificate~~ **license** under section 6 of this chapter if the applicant meets the requirements under IC 25-1-8-6.

SECTION 44. IC 25-14.5-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. Except as provided in section 3 of this chapter, an individual who ~~is does not certified hold~~ **a certificate issued under this article before July 1, 2019, or a license issued under this article after June 30, 2019**, may not:

- (1) profess to be a ~~certified licensed~~ **dietitian**; or
- (2) imply by words or letters such as "~~CD~~" **"LD"** that the individual is a ~~certified licensed~~ **dietitian**.

SECTION 45. IC 25-14.5-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) A dietitian registered by the commission on dietetic registration may use the title "registered dietitian" and the designation "RD" but may not profess to



be a ~~certified~~ **licensed** dietitian when practicing dietetics in Indiana without ~~being certified by the board~~; **holding a certificate issued under this article before July 1, 2019, or a license issued under this article after June 30, 2019.**

(b) Nothing in this article may be construed to prohibit or limit any person from:

- (1) disseminating free information;
- (2) conducting a class or seminar; or
- (3) giving a speech related to nutrition.

(c) Nothing in this article may be construed to require direct third-party reimbursement to ~~persons certified~~ **a person who holds a certificate issued under this article before June 30, 2019, or a license issued under this article after July 1, 2019.**

SECTION 46. IC 25-20-1-2, AS AMENDED BY P.L.180-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This section does not apply to:

- (1) a person who is an audiologist licensed under IC 25-35.6; or
- (2) the sale of hearing aid batteries or cords.

(b) It is unlawful for a person to fit or dispense hearing aids in Indiana unless the person is:

- (1) an individual who holds a valid hearing aid dealer certificate of registration; or
- (2) ~~an individual~~ **a hearing aid dealer in training** who fits or dispenses hearing aids while under the supervision and direction of an individual who holds a temporary or valid hearing aid dealer certificate of registration;

issued by the committee.

SECTION 47. IC 25-22.5-5-4.6, AS AMENDED BY P.L.180-2018, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4.6. (a) The board may authorize the agency to issue noneducational commission for foreign medical graduates certified graduate permits for the practice of medicine or osteopathic medicine. A noneducational commission for foreign medical graduates certified graduate permit is subject to any termination date specified by the board.

(b) The board may issue a noneducational commission for foreign medical graduates certified graduate permit to a graduate of a school located outside the United States, its possessions, or Canada if the graduate:

- (1) applies in the form and manner required by the board;
- (2) pays a fee set by the board;
- (3) has completed the academic requirements for the degree of





doctor of medicine or doctor of osteopathic medicine from a medical school approved by the board;

(4) has been issued a valid permit by another state for participation in a postgraduate medical education or training program located in a state that has standards for postgraduate medical education and training satisfactory to the board;

(5) has been accepted into a postgraduate medical training program that:

(A) is affiliated with a medical school located in a state that issued a permit under subdivision (4);

(B) has a training site located in Indiana; and

(C) has standards for postgraduate medical education and training satisfactory to the board;

(6) provides the board with documentation of the areas of medical practice for which the training is sought;

(7) provides the board with at least two (2) letters of reference documenting the individual's character; and

(8) demonstrates to the board that the individual is a physician of good character who is in good standing outside the United States, its possessions, or Canada where the person normally would practice.

(c) Applications for a noneducational commission for foreign medical graduates certified graduate permit for graduates of foreign medical schools must be made to the board subject to this section.

(d) A permit issued under this section expires one (1) year after the date it is issued and, at the discretion of the board, may be renewed for additional one (1) year periods upon the payment of a renewal fee set by the board by rule.

(e) An individual who applies for a noneducational commission for foreign medical graduates certified graduate permit under this section is not required to take any step of the United States Medical Licensure Examination.

(f) A noneducational commission for foreign medical graduates certified graduate permit must be kept in the possession of the fellowship training institution and surrendered by the institution to the board within thirty (30) days after the person ceases training in Indiana.

(g) A noneducational commission for foreign medical graduates certified graduate permit authorizes a person to practice in the training institution only and, in the course of training, to practice only those medical acts approved by the board but does not authorize the person to practice medicine or osteopathic medicine otherwise.

(h) The board may deny an application for a noneducational



commission for foreign medical graduates certified graduate permit if the training program that has accepted the applicant has:

- (1) violated; or
- (2) authorized or permitted a physician to violate;

this section.

(i) A person issued a noneducational commission for foreign medical graduates certified graduate permit under this section must file an affidavit that:

- (1) is signed by a physician licensed in Indiana;
- (2) includes the license number of the signing physician; **and**
- (3) attests that the physician will monitor the work of the physician holding the noneducational commission for foreign medical graduates certified graduate permit. **and**
- ~~(4) is notarized.~~

The affidavit must be filed with the agency before the person holding the noneducational commission for foreign medical graduates certified graduate permit may provide medical services.

SECTION 48. IC 25-34.1-11-10, AS AMENDED BY P.L. 177-2015, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) The board shall issue a certificate of registration to an appraisal management company that:

- (1) has furnished the information required by section 9(a) of this chapter in the manner prescribed by the board; and
- (2) paid the fee required under section 9(b) of this chapter.

(b) Subject to IC 25-1-2-6(e), a certificate of registration issued to an appraisal management company under this chapter expires ~~two (2)~~ **years one (1) year** after the date on which the certificate of registration is issued.



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**HEA 1569 — Concur**

