



February 21, 2022

ENGROSSED SENATE BILL No. 5

DIGEST OF SB 5 (Updated February 17, 2022 2:57 pm - DI 134)

Citations Affected: IC 12-15; IC 25-0.5; IC 25-1; IC 25-23.6; IC 25-34.5; IC 25-35.6.

Synopsis: Reciprocity. Requires the office of Medicaid policy and planning to review methods of calculating outlier payments in relation to final reimbursement amounts. Establishes a procedure to grant licenses and certificates to practice certain health care professions in Indiana. Requires the applicant to hold a current license or certificate from another state or jurisdiction and meet other requirements. Allows the applicant who meets certain requirements to apply for a provisional license or provisional certificate. Requires the provisional license or provisional certificate to be issued within 30 days. Provides for
(Continued next page)

Effective: Upon passage; July 1, 2022.

**Brown L, Charbonneau, Yoder,
Kruse, Zay, Randolph Lonnie M**
(HOUSE SPONSORS — VERMILION, ZENT)

January 6, 2022, read first time and referred to Committee on Health and Provider Services.

January 12, 2022, amended, reported favorably — Do Pass.

January 20, 2022, read second time, amended, ordered engrossed.

January 21, 2022, engrossed.

January 24, 2022, read third time, passed. Yeas 47, nays 0.

HOUSE ACTION

January 31, 2022, read first time and referred to Committee on Public Health.

February 10, 2022, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

February 21, 2022, amended, reported — Do Pass.

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Digest Continued

penalties for submitting false information on an application for a provisional license or provisional certificate. Requires a board to make a final decision on a license or certificate application before the expiration of a provisional license or provisional certificate. Provides that if a board has a pending application for initial licensure or certification that requires final approval by the board, the board shall meet not more 31 days after the application is ready for approval. Provides that the medical licensing board may not issue a physician's license to an applicant using the reciprocity law beginning July 1, 2026. Eliminates certain requirements for an applicant seeking licensure as a clinical social worker, marriage and family therapist, mental health counselor, addiction counselor, or clinical addiction counselor. Requires the boards that regulate bachelor's degree social workers, social workers, clinical social workers, marriage and family therapists, mental health counselors, licensed addiction counselors, licensed clinical addiction counselors, and respiratory care practitioners to issue a license by reciprocity within 30 days if certain requirements are met. Requires the speech-language pathology and audiology board to, before January 1, 2023, initiate and make every effort to enter into reciprocity agreements with contiguous states to enter into a reciprocity agreement for individuals licensed as: (1) a speech-language pathologist; and (2) an audiologist; to practice the individual's profession under the license from one state in the other state.

ES 5—LS 6630/DI 77



February 21, 2022

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 5

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 12-15-15-1.2, AS ADDED BY P.L.132-2021,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 1.2. (a) This section applies only to state fiscal
4 years beginning after June 30, 2021, and ending before July 1, 2023.
5 (b) As used in this section, "children's hospital" means:
6 (1) a freestanding general acute care hospital that:
7 (A) is designated by the Medicare program as a children's
8 hospital; or
9 (B) furnishes inpatient and outpatient health care services to
10 patients who are predominantly individuals less than nineteen
11 (19) years of age; or
12 (2) a facility located within a freestanding general acute care
13 hospital that:
14 (A) is designated by the Medicare program as a children's
15 hospital; or
16 (B) furnishes inpatient and outpatient health care services to
17 patients who are predominately individuals less than nineteen

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- 1 (19) years of age.
- 2 (c) This section applies to reimbursement for inpatient Medicaid
3 services and outpatient Medicaid services provided to a Medicaid
4 recipient who is less than nineteen (19) years of age at a children's
5 hospital that is located in a state bordering Indiana. This section does
6 not apply to reimbursement for non-emergency medical transportation.
- 7 (d) Subject to subsection (a), the office shall reimburse a children's
8 hospital for covered services provided to a Medicaid recipient that is
9 described in subsection (c) at a rate set by the secretary that is based on
10 a reimbursement formula that is:
- 11 (1) comparable to the current federal Medicare reimbursement
12 rate for the service provided by the children's hospital; or
- 13 (2) one hundred thirty percent (130%) of the Medicaid
14 reimbursement rate for a service that does not have a Medicare
15 reimbursement rate.
- 16 (e) Before September 1, 2021, the office shall apply to the United
17 States Department of Health and Human Services for any state plan
18 amendment or Medicaid waiver necessary to implement and administer
19 this section.
- 20 (f) The office may adopt rules under IC 4-22-2 necessary for the
21 implementation of this section.
- 22 **(g) Not later than September 30, 2022, the office shall complete**
23 **a review of methods of calculating outlier payments in a way that**
24 **does not negatively impact final reimbursement determined**
25 **according to the rate set under subsection (d) as compared to final**
26 **reimbursement when calculated as if the rate adjustment was not**
27 **required under subsection (d).**
- 28 ~~(g)~~ **(h)** This section expires July 1, 2023.
- 29 SECTION 2. IC 25-0.5-11-1, AS ADDED BY P.L.3-2014,
30 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 UPON PASSAGE]: Sec. 1. As used in IC 25-1-9 **and IC 25-1-21**,
32 "board" means any of the entities described in this chapter.
- 33 SECTION 3. IC 25-1-21 IS ADDED TO THE INDIANA CODE AS
34 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
35 PASSAGE]:
- 36 **Chapter 21. Reciprocity for Health Care Professionals**
- 37 **Sec. 1. (a) Except for section 7 of this chapter, this chapter does**
38 **not apply to any of the following licenses:**
- 39 (1) Any type of social work license issued under IC 25-23.6-5.
40 (2) Any type of marriage and family therapist license issued
41 under IC 25-23.6-8.
42 (3) Any type of mental health counselor license issued under



1 **IC 25-23.6-8.5.**

2 **(4) Any type of addiction counselor or clinical addiction**
3 **counselor license issued under IC 25-23.6-10.5.**

4 **(5) Any type of respiratory care practitioner license issued**
5 **under IC 25-34.5.**

6 **(b) This chapter does not prohibit an applicant from proceeding**
7 **under other licensure, certification, registration, or permit**
8 **requirements established by a board or another law.**

9 **Sec. 2. As used in this chapter, "board" means any of the**
10 **entities described in IC 25-0.5-11.**

11 **Sec. 3. As used in this chapter, "jurisdiction" means the District**
12 **of Columbia, Puerto Rico, the United States Virgin Islands, or any**
13 **territory or insular possession subject to the jurisdiction of the**
14 **United States.**

15 **Sec. 4. As used in this chapter, "license" means an unlimited**
16 **license regulating the occupation in question.**

17 **Sec. 4.5. As used in this chapter, "provisional license or**
18 **provisional certificate" means a temporary license or certificate**
19 **issued under this chapter that allows the holder to practice the**
20 **occupation that was applied for and at the same practice level until**
21 **the license or certificate expires under section 7(c) of this chapter.**

22 **Sec. 5. Notwithstanding any other law, subject to section 11 of**
23 **this chapter, a board shall issue a license or certificate to an**
24 **applicant to allow the individual to practice the applicant's**
25 **occupation in Indiana if, upon application to the board, the**
26 **applicant satisfies the following conditions:**

27 **(1) Holds a current license or certificate from another state or**
28 **jurisdiction; and**

29 **(A) that state's or jurisdiction's requirements for a license**
30 **or certificate are substantially equivalent to or exceed the**
31 **requirements for a license or certificate of the board from**
32 **which the applicant is seeking licensure or certification; or**

33 **(B) when the person was licensed or certified by another**
34 **state:**

35 **(i) there were minimum education requirements in the**
36 **other state;**

37 **(ii) if there were applicable work experience and clinical**
38 **supervision requirements in effect, the person met those**
39 **requirements in order to be licensed or certified in that**
40 **state; and**

41 **(iii) if required by the other state, the person previously**
42 **passed an examination required for the license or**



- 1 certification.
- 2 (2) Has not committed any act in any state or jurisdiction that
- 3 would have constituted grounds for refusal, suspension, or
- 4 revocation of a license, certificate, registration, or permit to
- 5 practice that occupation in Indiana at the time the act was
- 6 committed.
- 7 (3) Does not have a complaint or an investigation pending
- 8 before the regulating agency in another state or jurisdiction
- 9 that relates to unprofessional conduct.
- 10 (4) Is in good standing and has not been disciplined by the
- 11 agency that has authority to issue the license or certification.
- 12 (5) If a law regulating the applicant's occupation requires the
- 13 board to administer an examination on the relevant laws of
- 14 Indiana, the board may require the applicant to take and pass
- 15 an examination specific to the laws of Indiana.
- 16 (6) Pays any fees required by the board for which the
- 17 applicant is seeking licensure or certification.
- 18 **Sec. 6.** If a national criminal history background check (as
- 19 defined in IC 25-1-1.1-4) is required under IC 25-1-1.1-4 for the
- 20 occupation for which the applicant seeks a license or certificate,
- 21 not more than five (5) business days after the:
- 22 (1) professional licensing agency received the individual's
- 23 application for a license or certificate under this chapter; and
- 24 (2) individual has paid any fees required by the board for
- 25 which the applicant is seeking licensure or certification;
- 26 the professional licensing agency shall notify the applicant that the
- 27 applicant is eligible to submit a national criminal history
- 28 background check to the professional licensing agency.
- 29 **Sec. 7. (a)** Notwithstanding any other law, an applicant for a
- 30 license or certificate is entitled to a provisional license or
- 31 provisional certificate in the occupation applied for and at the
- 32 same practice level as determined by the board, without an
- 33 examination, if all of the following conditions are met:
- 34 (1) The individual submits a signed affidavit affirming, under
- 35 the penalties for perjury, the following:
- 36 (A) The individual is in good standing in all states and
- 37 jurisdictions in which the individual holds a license or
- 38 certificate for the occupation applied for.
- 39 (B) The individual has not had a license revoked and has
- 40 not voluntarily surrendered a license in another state or
- 41 jurisdiction while under investigation for unprofessional
- 42 conduct.



- 1 **(C) The individual has not had discipline imposed by the**
 2 **regulating agency for the occupation in another state or**
 3 **jurisdiction.**
- 4 **(D) The individual does not have a complaint or an**
 5 **investigation pending before the regulating agency in**
 6 **another state or jurisdiction that relates to unprofessional**
 7 **conduct.**
- 8 **(2) The individual does not have a disqualifying criminal**
 9 **history, as determined by the board, if a national criminal**
 10 **history background check (as defined in IC 25-1-1.1-4) is**
 11 **required under IC 25-1-1.1-4 for the occupation for which the**
 12 **applicant seeks a license or certificate.**
- 13 **(3) The individual submits verification that the individual is**
 14 **currently licensed or certified in at least one (1) other state or**
 15 **jurisdiction in the occupation applied for.**
- 16 **(4) The individual has submitted an application for a license**
 17 **or certificate under this chapter with the board and has paid**
 18 **any application fee.**
- 19 **(b) An applicant who has met the requirements in subsection (a)**
 20 **shall be issued a provisional license or provisional certificate not**
 21 **more than thirty (30) days after the requirements are met.**
- 22 **(c) A provisional license or provisional certificate expires on the**
 23 **earlier of the following:**
- 24 **(1) Three hundred sixty-five (365) days after it is issued.**
- 25 **(2) The date on which the board approves and issues the**
 26 **individual a license or certificate for the occupation.**
- 27 **(3) The date on which the board denies the individual's**
 28 **application for a license or certificate for the occupation.**
- 29 **(d) In addition to any other penalties for perjury, an individual**
 30 **who violates this section commits a Class A infraction.**
- 31 **(e) If the board discovers that any of the information submitted**
 32 **under this section is false, the board may immediately revoke the**
 33 **individual's provisional license or provisional certificate.**
- 34 **(f) This section does not apply to a license or certificate that is**
 35 **established by or recognized through an interstate compact, a**
 36 **reciprocity agreement, or a comity agreement that is established by**
 37 **a board or a law.**
- 38 **(g) The board shall make a final decision on a license or**
 39 **certificate application before the expiration of a provisional license**
 40 **or provisional certificate issued under this section.**
- 41 **Sec. 8. A nonresident who is issued a license or certificate under**
 42 **this chapter is entitled to the same rights and subject to the same**



1 obligations as required of a resident who is issued a license or
2 certificate by a board.

3 **Sec. 9. Notwithstanding any other law, if a board has a pending**
4 **application for initial licensure or certification that requires final**
5 **approval by the board, the board shall meet not more than**
6 **thirty-one (31) days after the application is ready for approval.**

7 **Sec. 10. A board may adopt rules under IC 4-22-2 necessary to**
8 **implement this chapter.**

9 **Sec. 11. Beginning July 1, 2026, the medical licensing board of**
10 **Indiana may not issue a license under this chapter to an applicant**
11 **seeking a license as a physician under IC 25-22.5.**

12 SECTION 4. IC 25-23.6-5-3.1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3.1. (a) Except as
14 provided in subsection (b), a graduate program is considered to have
15 emphasized direct clinical patient or clinic health care services if the
16 graduate program meets the following requirements:

17 (1) Required coursework in clinical social work and related areas
18 such as psychiatric social work, medical social work, social case
19 work, case management, psychotherapy, group therapy, and any
20 other coursework accepted by the board.

21 (2) Required a supervised field placement that was part of the
22 applicant's advanced concentration in direct practice, during
23 which the applicant provided clinical services directly to clients.

24 (3) Required completion of twenty-four (24) semester hours or
25 thirty-seven (37) quarter hours of clinically oriented services
26 courses in the theory and research of human behavior and social
27 environment and practice methods. However, if the graduate
28 degree was obtained before October 1, 1990, and the applicant
29 submitted an application under section 3 of this chapter (before
30 its repeal) before July 1, 1999, twenty-one (21) semester hours or
31 thirty-one (31) quarter hours in clinically oriented services are
32 required. Not more than six (6) semester hours or nine (9) quarter
33 hours of the clinically oriented services courses may be from
34 independent study coursework.

35 If the applicant's transcript does not clearly identify the content of the
36 coursework, the applicant shall submit a syllabus, a course catalog
37 description, or other documentation that describes the coursework.

38 (b) An applicant who graduated from a graduate program that did
39 not emphasize direct patient or client services may complete the
40 clinical curriculum requirement by returning to a graduate program
41 allowed under section 2(1)(B) of this chapter to complete the education
42 requirements.



1 (c) Coursework that was taken at a baccalaureate level does not
 2 meet the requirements under this section unless an official of the
 3 graduate program certifies that the specific course, which a student
 4 enrolled in the same graduate program was ordinarily required to
 5 complete at the graduate level, was waived or exempted based on
 6 completion of a similar course at the baccalaureate level.

7 SECTION 5. IC 25-23.6-5-10.5, AS ADDED BY P.L.192-2017,
 8 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 10.5. The board shall issue a license to an
 10 individual to be a bachelor's degree social worker, social worker, or
 11 clinical social worker, **not more than thirty (30) days after the**
 12 **application is filed**, if the individual:

- 13 (1) has a valid license or certificate to practice from another state
 14 or jurisdiction;
- 15 (2) has passed an examination substantially equivalent to the level
 16 for which licensure is being requested;
- 17 (3) does not have a pending disciplinary proceeding in another
 18 state; and
- 19 (4) pays a fee.

20 SECTION 6. IC 25-23.6-8-2.5, AS AMENDED BY P.L.49-2019,
 21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2022]: Sec. 2.5. (a) An applicant for a license as a marriage
 23 and family therapist under section 1 of this chapter or an applicant for
 24 a license as a marriage and family therapist associate under section 1.5
 25 of this chapter must complete the following educational requirements:

- 26 (1) Except as provided in subsection (b), ~~complete twenty-seven~~
 27 ~~(27) semester hours or forty-one (41) quarter hours of graduate~~
 28 ~~course work that must include graduate level course credits with~~
 29 ~~material in at least the following content areas:~~
- 30 (A) Theoretical foundations of marriage and family therapy.
- 31 (B) Major models of marriage and family therapy.
- 32 (C) Individual development.
- 33 (D) Family development and family relationships.
- 34 (E) Clinical problems.
- 35 (F) Collaboration with other disciplines.
- 36 (G) Sexuality.
- 37 (H) Gender and sexual orientation.
- 38 (I) Issues of ethnicity, race, socioeconomic status, and culture.
- 39 (J) Therapy techniques.
- 40 (K) Behavioral research that focuses on the interpretation and
 41 application of research data as it applies to clinical practice.

42 The content areas may be combined into any one (1) graduate



1 level course. if the applicant can prove that the course work was
 2 devoted to each content area:

3 (2) Not less than one (1) graduate level course of two (2) semester
 4 hours or three (3) quarter hours **Graduate course work** in the
 5 following areas:

6 (A) Legal, ethical, and professional standards issues in the
 7 practice of marriage and family therapy or an equivalent
 8 course approved by the board.

9 (B) Appraisal and assessment for individual or interpersonal
 10 disorder or dysfunction.

11 (3) At least one (1) supervised clinical practicum, internship, or
 12 field experience in a marriage and family counseling setting that
 13 meets the following requirements:

14 (A) The applicant provided five hundred (500) hours of
 15 marriage and family therapy services, including at least four
 16 hundred (400) face to face client contact hours, of which at
 17 least two hundred (200) hours must be relational, under the
 18 supervision of a licensed marriage and family therapist who
 19 has at least five (5) years of experience or a qualified
 20 supervisor approved by the board.

21 (B) The applicant received one hundred (100) hours of
 22 supervision from a licensed marriage and family therapist who
 23 has at least five (5) years experience as a qualified supervisor.

24 The requirements under clauses (A) and (B) may be met by a
 25 supervised practice experience that took place away from an
 26 institution of higher education but that is certified by an official
 27 of the eligible postsecondary educational institution as being
 28 equivalent to a graduate level practicum or internship program at
 29 an institution accredited by an accrediting agency approved by the
 30 United States Department of Education Commission on
 31 Recognition of Postsecondary Education, the Association of
 32 Universities and Colleges of Canada, or the Commission on
 33 Accreditation for Marriage and Family Therapy Education.

34 (b) The following graduate work may not be used to satisfy the
 35 content area requirements under subsection (a):

36 (1) Thesis or dissertation work.

37 (2) Practicums, internships, or fieldwork.

38 SECTION 7. IC 25-23.6-8-9.5, AS ADDED BY P.L.225-2017,
 39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an
 41 individual to be a marriage and family therapist, **not more than thirty**
 42 **(30) days after the application is filed**, if the individual:



- 1 (1) has a valid license or certificate to practice from another state
 2 or jurisdiction;
 3 (2) has passed an examination substantially equivalent to the level
 4 for which licensure is being requested;
 5 (3) does not have a pending disciplinary proceeding in another
 6 state; and
 7 (4) pays a fee.
- 8 SECTION 8. IC 25-23.6-8.5-3, AS AMENDED BY P.L.160-2018,
 9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2022]: Sec. 3. An applicant as a mental health counselor
 11 under section 1 of this chapter or a mental health counselor associate
 12 under section 1.5 of this chapter must complete the following
 13 educational requirements:
- 14 (1) ~~Complete sixty (60) semester hours~~ of Graduate course work
 15 in counseling that must include either a master's degree ~~that~~
 16 ~~required not less than forty-eight (48) semester hours~~ or a doctor's
 17 degree in counseling. The graduate course work must include the
 18 following content areas:
- 19 (A) Human growth and development.
 20 (B) Social and cultural foundations of counseling.
 21 (C) Helping relationship, including counseling theory and
 22 practice.
 23 (D) Group dynamics, processes, counseling, and consultation.
 24 (E) Lifestyle and career development.
 25 (F) Assessment and appraisal of individuals.
 26 (G) Research and program evaluation.
 27 (H) Professional orientation and ethics.
 28 (I) Foundations of mental health counseling.
 29 (J) Contextual dimensions of mental health counseling.
 30 (K) Knowledge and skills for the practice of mental health
 31 counseling and psychotherapy.
 32 (L) Clinical instruction.
- 33 (2) Not less than one (1) supervised clinical practicum, internship,
 34 or field experience in a counseling setting, which must include a
 35 minimum of seven hundred (700) clock hours consisting of one
 36 (1) practicum of one hundred (100) hours, and one (1) internship
 37 of six hundred (600) hours with at least sixty-six (66) hours of
 38 face to face supervision. This requirement may be met by a
 39 supervised practice experience that took place away from an
 40 eligible postsecondary educational institution but that is certified
 41 by an official of the eligible postsecondary educational institution
 42 as being equivalent to a clinical mental health graduate level



1 practicum or internship program at an institution accredited by an
 2 accrediting agency approved by the United States Department of
 3 Education or the Association of Universities and Colleges of
 4 Canada.

5 SECTION 9. IC 25-23.6-8.5-9.5, AS ADDED BY P.L.225-2017,
 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an
 8 individual to be a mental health counselor, **not more than thirty (30)**
 9 **days after the application is filed**, if the individual:

- 10 (1) has a valid license or certificate to practice from another state
 11 or jurisdiction;
 12 (2) has passed an examination substantially equivalent to the level
 13 for which licensure is being requested;
 14 (3) does not have a pending disciplinary proceeding in another
 15 state; and
 16 (4) pays a fee.

17 SECTION 10. IC 25-23.6-10.5-5, AS AMENDED BY P.L.49-2019,
 18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2022]: Sec. 5. (a) An applicant under section 1 of this chapter
 20 must complete the following educational requirements:

21 (1) ~~Forty (40) semester hours or sixty (60) quarter hours~~ of Course
 22 work from an eligible postsecondary educational institution that
 23 includes the following content areas:

- 24 (A) Addictions theory.
 25 (B) Psychoactive drugs.
 26 (C) Addictions counseling skills.
 27 (D) Theories of personality.
 28 (E) Developmental psychology.
 29 (F) Abnormal psychology.
 30 (G) Group work.
 31 (H) Cultural competency.
 32 (I) Ethics and professional development.
 33 (J) Family education.
 34 (K) Areas of content as approved by the board.

35 (2) At least one (1) supervised practicum, internship, or field
 36 experience in an addiction counseling setting that requires the
 37 applicant to provide at least three hundred fifty (350) hours of
 38 addiction counseling services.

39 (b) The content areas under subsection (a)(1) may be combined into
 40 any one (1) college level course. ~~if the applicant can prove that the~~
 41 ~~course work was devoted to each content area listed in subsection~~
 42 ~~(a)(1).~~



1 SECTION 11. IC 25-23.6-10.5-6, AS AMENDED BY
 2 P.L.207-2021, SECTION 27, IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6. (a) An applicant
 4 under section 2 of this chapter must complete the following educational
 5 requirements:

6 (1) ~~Twenty-seven (27) semester hours or forty-one (41) quarter~~
 7 ~~hours of~~ Graduate course work that must include graduate level
 8 course credits with material in at least the following content areas:

9 (A) Addiction counseling theories and techniques.

10 (B) Psychopharmacology.

11 (C) Psychopathology.

12 (D) Clinical appraisal and assessment.

13 (E) Theory and practice of group addiction counseling.

14 (F) Counseling addicted family systems.

15 (G) Multicultural counseling.

16 (H) Research methods in addictions.

17 (I) Areas of content as approved by the board.

18 (2) ~~At least one (1) graduate level course of two (2) semester~~
 19 ~~hours or three (3) quarter hours~~ **Graduate course work** in the
 20 following areas:

21 (A) Legal, ethical, and professional standards issues in the
 22 practice of addiction counseling and therapy or an equivalent
 23 course approved by the board.

24 (B) Appraisal and assessment for individual or interpersonal
 25 disorder or dysfunction.

26 (3) At least one (1) supervised clinical practicum, internship, or
 27 field experience in an addiction counseling setting that requires
 28 the applicant to provide seven hundred (700) hours of clinical
 29 addiction counseling services and that must include the following:

30 (A) Two hundred eighty (280) face to face client contact hours
 31 of addiction counseling services under the supervision of a
 32 qualified supervisor, as determined by the board.

33 (B) Thirty-five (35) hours of supervision from a qualified
 34 supervisor, as determined by the board.

35 However, an applicant who has completed a clinical practicum,
 36 an internship, or field experience to obtain another license under
 37 this article is not required to complete the clinical addiction
 38 counseling services hours required under this subdivision.

39 (4) Any qualifications established by the board under subsection
 40 (c).

41 (b) The content areas under subsection (a)(1) may be combined into
 42 any one (1) graduate level course. ~~if the applicant can prove that the~~



1 ~~course work was devoted to each content area:~~

2 (c) The board shall adopt rules to establish any additional
3 educational or clinical qualifications as specified by the Council for
4 Accreditation of Counseling and Related Educational Programs or a
5 successor organization.

6 SECTION 12. IC 25-23.6-10.5-9.5, AS ADDED BY P.L.225-2017,
7 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an
9 individual to be a licensed addiction counselor or licensed clinical
10 addiction counselor, **not more than thirty (30) days after the**
11 **application is filed**, if the individual:

- 12 (1) has a valid license or certificate to practice from another state
13 or jurisdiction;
14 (2) has passed an examination substantially equivalent to the level
15 for which licensure is being requested;
16 (3) does not have a pending disciplinary proceeding in another
17 state; and
18 (4) pays a fee.

19 SECTION 13. IC 25-34.5-2-10.1 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.1. (a) The
21 committee ~~may~~ **shall** issue a temporary permit to a person to practice
22 respiratory care or to profess to be a respiratory care practitioner, **not**
23 **more than thirty (30) days after the application is filed**, if the person
24 pays a fee and:

- 25 (1) has:
26 (A) a valid license or certificate to practice from another state;
27 and
28 (B) applied for a license from the committee;
29 (2) is practicing in a state that does not license or certify
30 respiratory care practitioners but is credentialed by a national
31 respiratory care practitioner association approved by the
32 committee, and the person has applied for a license from the
33 committee; or
34 (3) has:
35 (A) been approved by the committee to take the next
36 examination; and
37 (B) graduated from a school or program approved by the
38 committee.
39 (b) A temporary permit expires the earlier of:
40 (1) the date the person holding the permit is issued a license under
41 this article; or
42 (2) the date the committee disapproves the person's license



- 1 application.
- 2 (c) The committee may renew a temporary permit if the person
- 3 holding the permit was scheduled to take the next examination and:
- 4 (1) did not take the examination; and
- 5 (2) shows good cause for not taking the examination.
- 6 (d) A permit renewed under subsection (c) expires on the date the
- 7 person holding the permit receives the results from the next
- 8 examination given after the permit was issued.
- 9 SECTION 14. IC 25-34.5-2-11 IS AMENDED TO READ AS
- 10 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The
- 11 committee ~~may~~ **shall** issue a license by endorsement, **not more than**
- 12 **thirty (30) days after the application is filed**, to a person who:
- 13 (1) presents satisfactory evidence to the committee that the person
- 14 holds:
- 15 (A) a license or certification to practice respiratory care in:
- 16 (i) another state; or
- 17 (ii) a jurisdiction of Canada; or
- 18 (B) credentials issued by a national respiratory care
- 19 practitioner organization approved by the committee;
- 20 (2) meets the requirements of section 8 of this chapter; and
- 21 (3) pays a fee determined by the board after consideration of a
- 22 recommendation of the committee.
- 23 (b) If the applicant presents satisfactory evidence that the applicant
- 24 has actively engaged in the practice of respiratory care that included
- 25 actual patient care:
- 26 (1) in another jurisdiction;
- 27 (2) under the supervision of a physician licensed in that
- 28 jurisdiction; and
- 29 (3) for at least ten (10) of the previous fifteen (15) years
- 30 preceding the date of application;
- 31 the committee may waive the education requirements under subsection
- 32 (a)(2) and section 8(b) of this chapter if the committee determines that
- 33 the applicant has sufficient knowledge and experience.
- 34 SECTION 15. IC 25-35.6-1-5.5, AS ADDED BY P.L.216-2021,
- 35 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 UPON PASSAGE]: Sec. 5.5. (a) An individual may practice
- 37 speech-language pathology in Indiana under a license to practice
- 38 speech-language pathology issued by a state that has entered into a
- 39 reciprocity agreement with the board under which an individual
- 40 licensed to practice speech-language pathology in Indiana is authorized
- 41 to practice speech-language pathology in the other state under the
- 42 individual's Indiana speech-language pathology license.



1 **(b) Before January 1, 2023, the board shall initiate and make**
2 **every effort to enter into a reciprocity agreement with another**
3 **state that:**

4 **(1) is contiguous to Indiana; and**

5 **(2) is not a member of an interstate compact with Indiana**
6 **concerning speech-language pathology;**

7 **that would allow an individual licensed to practice speech-language**
8 **pathology in Indiana or the other state to practice in the other state**
9 **under the individual's speech-language pathology license.**

10 SECTION 16. IC 25-35.6-1-6.5, AS ADDED BY P.L.216-2021,
11 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 6.5. **(a)** An individual may practice audiology
13 in Indiana under a license to practice audiology issued by a state that
14 has entered into a reciprocity agreement with the board under which an
15 individual licensed to practice audiology in Indiana is authorized to
16 practice audiology in the other state under the individual's Indiana
17 audiology license.

18 **(b) Before January 1, 2023, the board shall initiate and make**
19 **every effort to enter into a reciprocity agreement with another**
20 **state that:**

21 **(1) is contiguous to Indiana; and**

22 **(2) is not a member of an interstate compact with Indiana**
23 **concerning audiology;**

24 **that would allow an individual licensed to practice audiology in**
25 **Indiana or the other state to practice in the other state under the**
26 **individual's audiology license.**

27 SECTION 17. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 5, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"Sec. 4.5. As used in this chapter, "provisional license or provisional certificate" means a temporary license or certificate issued under this chapter that allows the holder to practice the occupation that was applied for and at the same practice level until the license or certificate expires under section 7(c) of this chapter."

and when so amended that said bill do pass.

(Reference is to SB 5 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 10, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 5 be amended to read as follows:

Page 1, line 9, after "1." insert **"(a) This chapter does not apply to any of the following licenses:**

- (1) Any type of social work license issued under IC 25-23.6-5.**
- (2) Any type of marriage and family therapist license issued under IC 25-23.6-8.**
- (3) Any type of mental health counselor license issued under IC 25-23.6-8.5.**
- (4) Any type of addiction counselor or clinical addiction counselor license issued under IC 25-23.6-10.5.**
- (5) Any type of respiratory care practitioner license issued under IC 25-34.5.**

(b)".

Page 4, between lines 36 and 37, begin a new paragraph and insert:
"SECTION 3. IC 25-35.6-1-5.5, AS ADDED BY P.L.216-2021, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.5. (a) An individual may practice

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speech-language pathology in Indiana under a license to practice speech-language pathology issued by a state that has entered into a reciprocity agreement with the board under which an individual licensed to practice speech-language pathology in Indiana is authorized to practice speech-language pathology in the other state under the individual's Indiana speech-language pathology license.

(b) Before January 1, 2023, the board shall initiate and make every effort to enter into a reciprocity agreement with another state that:

(1) is contiguous to Indiana; and

(2) is not a member of an interstate compact with Indiana concerning speech-language pathology;

that would allow an individual licensed to practice speech-language pathology in Indiana or the other state to practice in the other state under the individual's speech-language pathology license.

SECTION 4. IC 25-35.6-1-6.5, AS ADDED BY P.L.216-2021, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. **(a)** An individual may practice audiology in Indiana under a license to practice audiology issued by a state that has entered into a reciprocity agreement with the board under which an individual licensed to practice audiology in Indiana is authorized to practice audiology in the other state under the individual's Indiana audiology license.

(b) Before January 1, 2023, the board shall initiate and make every effort to enter into a reciprocity agreement with another state that:

(1) is contiguous to Indiana; and

(2) is not a member of an interstate compact with Indiana concerning audiology;

that would allow an individual licensed to practice audiology in Indiana or the other state to practice in the other state under the individual's audiology license."

Renumber all SECTIONS consecutively.

(Reference is to SB 5 as printed January 13, 2022.)

BROWN L



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 5, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "This" and insert "**Except for section 7 of this chapter, this**".

Page 4, between lines 34 and 35, begin a new paragraph and insert:

"(g) The board shall make a final decision on a license or certificate application before the expiration of a provisional license or provisional certificate issued under this section."

Page 5, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 3. IC 25-23.6-5-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3.1. (a) Except as provided in subsection (b), a graduate program is considered to have emphasized direct clinical patient or clinic health care services if the graduate program meets the following requirements:

- (1) Required coursework in clinical social work and related areas such as psychiatric social work, medical social work, social case work, case management, psychotherapy, group therapy, and any other coursework accepted by the board.
- (2) Required a supervised field placement that was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.
- (3) Required completion of ~~twenty-four (24) semester hours or thirty-seven (37) quarter hours of clinically oriented services courses in the theory and research of human behavior and social environment and practice methods. However, if the graduate degree was obtained before October 1, 1990; and the applicant submitted an application under section 3 of this chapter (before its repeal) before July 1, 1999; twenty-one (21) semester hours or thirty-one (31) quarter hours in clinically oriented services are required. Not more than six (6) semester hours or nine (9) quarter hours of the clinically oriented services courses may be from independent study coursework.~~

If the applicant's transcript does not clearly identify the content of the coursework, the applicant shall submit a syllabus, a course catalog description, or other documentation that describes the coursework.

(b) An applicant who graduated from a graduate program that did not emphasize direct patient or client services may complete the clinical curriculum requirement by returning to a graduate program



allowed under section 2(1)(B) of this chapter to complete the education requirements.

(c) Coursework that was taken at a baccalaureate level does not meet the requirements under this section unless an official of the graduate program certifies that the specific course, which a student enrolled in the same graduate program was ordinarily required to complete at the graduate level, was waived or exempted based on completion of a similar course at the baccalaureate level.

SECTION 4. IC 25-23.6-5-10.5, AS ADDED BY P.L.192-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.5. The board shall issue a license to an individual to be a bachelor's degree social worker, social worker, or clinical social worker, **not more than thirty (30) days after the application is filed**, if the individual:

- (1) has a valid license or certificate to practice from another state or jurisdiction;
- (2) has passed an examination substantially equivalent to the level for which licensure is being requested;
- (3) does not have a pending disciplinary proceeding in another state; and
- (4) pays a fee.

SECTION 5. IC 25-23.6-8-2.5, AS AMENDED BY P.L.49-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2.5. (a) An applicant for a license as a marriage and family therapist under section 1 of this chapter or an applicant for a license as a marriage and family therapist associate under section 1.5 of this chapter must complete the following educational requirements:

- (1) Except as provided in subsection (b), ~~complete twenty-seven (27) semester hours or forty-one (41) quarter hours of~~ graduate course work that must include graduate level course credits with material in at least the following content areas:
 - (A) Theoretical foundations of marriage and family therapy.
 - (B) Major models of marriage and family therapy.
 - (C) Individual development.
 - (D) Family development and family relationships.
 - (E) Clinical problems.
 - (F) Collaboration with other disciplines.
 - (G) Sexuality.
 - (H) Gender and sexual orientation.
 - (I) Issues of ethnicity, race, socioeconomic status, and culture.
 - (J) Therapy techniques.
 - (K) Behavioral research that focuses on the interpretation and



application of research data as it applies to clinical practice. The content areas may be combined into any one (1) graduate level course. ~~if the applicant can prove that the course work was devoted to each content area.~~

(2) ~~Not less than one (1) graduate level course of two (2) semester hours or three (3) quarter hours~~ **Graduate course work** in the following areas:

(A) Legal, ethical, and professional standards issues in the practice of marriage and family therapy or an equivalent course approved by the board.

(B) Appraisal and assessment for individual or interpersonal disorder or dysfunction.

(3) At least one (1) supervised clinical practicum, internship, or field experience in a marriage and family counseling setting that meets the following requirements:

(A) The applicant provided five hundred (500) hours of marriage and family therapy services, including at least four hundred (400) face to face client contact hours, of which at least two hundred (200) hours must be relational, under the supervision of a licensed marriage and family therapist who has at least five (5) years of experience or a qualified supervisor approved by the board.

(B) The applicant received one hundred (100) hours of supervision from a licensed marriage and family therapist who has at least five (5) years experience as a qualified supervisor.

The requirements under clauses (A) and (B) may be met by a supervised practice experience that took place away from an institution of higher education but that is certified by an official of the eligible postsecondary educational institution as being equivalent to a graduate level practicum or internship program at an institution accredited by an accrediting agency approved by the United States Department of Education Commission on Recognition of Postsecondary Education, the Association of Universities and Colleges of Canada, or the Commission on Accreditation for Marriage and Family Therapy Education.

(b) The following graduate work may not be used to satisfy the content area requirements under subsection (a):

(1) Thesis or dissertation work.

(2) Practicums, internships, or fieldwork.

SECTION 6. IC 25-23.6-8-9.5, AS ADDED BY P.L.225-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an



individual to be a marriage and family therapist, **not more than thirty (30) days after the application is filed**, if the individual:

- (1) has a valid license or certificate to practice from another state or jurisdiction;
- (2) has passed an examination substantially equivalent to the level for which licensure is being requested;
- (3) does not have a pending disciplinary proceeding in another state; and
- (4) pays a fee.

SECTION 7. IC 25-23.6-8.5-3, AS AMENDED BY P.L.160-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. An applicant as a mental health counselor under section 1 of this chapter or a mental health counselor associate under section 1.5 of this chapter must complete the following educational requirements:

- (1) ~~Complete sixty (60) semester hours~~ of Graduate course work in counseling that must include either a master's degree ~~that required not less than forty-eight (48) semester hours~~ or a doctor's degree in counseling. The graduate course work must include the following content areas:

- (A) Human growth and development.
- (B) Social and cultural foundations of counseling.
- (C) Helping relationship, including counseling theory and practice.
- (D) Group dynamics, processes, counseling, and consultation.
- (E) Lifestyle and career development.
- (F) Assessment and appraisal of individuals.
- (G) Research and program evaluation.
- (H) Professional orientation and ethics.
- (I) Foundations of mental health counseling.
- (J) Contextual dimensions of mental health counseling.
- (K) Knowledge and skills for the practice of mental health counseling and psychotherapy.
- (L) Clinical instruction.

- (2) Not less than one (1) supervised clinical practicum, internship, or field experience in a counseling setting, which must include a minimum of seven hundred (700) clock hours consisting of one (1) practicum of one hundred (100) hours, and one (1) internship of six hundred (600) hours with at least sixty-six (66) hours of face to face supervision. This requirement may be met by a supervised practice experience that took place away from an eligible postsecondary educational institution but that is certified



by an official of the eligible postsecondary educational institution as being equivalent to a clinical mental health graduate level practicum or internship program at an institution accredited by an accrediting agency approved by the United States Department of Education or the Association of Universities and Colleges of Canada.

SECTION 8. IC 25-23.6-8.5-9.5, AS ADDED BY P.L.225-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an individual to be a mental health counselor, **not more than thirty (30) days after the application is filed**, if the individual:

- (1) has a valid license or certificate to practice from another state or jurisdiction;
- (2) has passed an examination substantially equivalent to the level for which licensure is being requested;
- (3) does not have a pending disciplinary proceeding in another state; and
- (4) pays a fee.

SECTION 9. IC 25-23.6-10.5-5, AS AMENDED BY P.L.49-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 5. (a) An applicant under section 1 of this chapter must complete the following educational requirements:

- (1) ~~Forty (40) semester hours or sixty (60) quarter hours~~ of Course work from an eligible postsecondary educational institution that includes the following content areas:
 - (A) Addictions theory.
 - (B) Psychoactive drugs.
 - (C) Addictions counseling skills.
 - (D) Theories of personality.
 - (E) Developmental psychology.
 - (F) Abnormal psychology.
 - (G) Group work.
 - (H) Cultural competency.
 - (I) Ethics and professional development.
 - (J) Family education.
 - (K) Areas of content as approved by the board.

- (2) At least one (1) supervised practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide at least three hundred fifty (350) hours of addiction counseling services.

(b) The content areas under subsection (a)(1) may be combined into any one (1) college level course. ~~if the applicant can prove that the~~



course work was devoted to each content area listed in subsection (a)(1):

SECTION 10. IC 25-23.6-10.5-6, AS AMENDED BY P.L.207-2021, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6. (a) An applicant under section 2 of this chapter must complete the following educational requirements:

(1) ~~Twenty-seven (27) semester hours or forty-one (41) quarter hours~~ of Graduate course work that must include graduate level course credits with material in at least the following content areas:

- (A) Addiction counseling theories and techniques.
- (B) Psychopharmacology.
- (C) Psychopathology.
- (D) Clinical appraisal and assessment.
- (E) Theory and practice of group addiction counseling.
- (F) Counseling addicted family systems.
- (G) Multicultural counseling.
- (H) Research methods in addictions.
- (I) Areas of content as approved by the board.

(2) ~~At least one (1) graduate level course of two (2) semester hours or three (3) quarter hours~~ **Graduate course work** in the following areas:

- (A) Legal, ethical, and professional standards issues in the practice of addiction counseling and therapy or an equivalent course approved by the board.
- (B) Appraisal and assessment for individual or interpersonal disorder or dysfunction.

(3) At least one (1) supervised clinical practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide seven hundred (700) hours of clinical addiction counseling services and that must include the following:

- (A) Two hundred eighty (280) face to face client contact hours of addiction counseling services under the supervision of a qualified supervisor, as determined by the board.
- (B) Thirty-five (35) hours of supervision from a qualified supervisor, as determined by the board.

However, an applicant who has completed a clinical practicum, an internship, or field experience to obtain another license under this article is not required to complete the clinical addiction counseling services hours required under this subdivision.

(4) Any qualifications established by the board under subsection (c).



(b) The content areas under subsection (a)(1) may be combined into any one (1) graduate level course. ~~if the applicant can prove that the course work was devoted to each content area:~~

(c) The board shall adopt rules to establish any additional educational or clinical qualifications as specified by the Council for Accreditation of Counseling and Related Educational Programs or a successor organization.

SECTION 11. IC 25-23.6-10.5-9.5, AS ADDED BY P.L.225-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.5. The board shall issue a license to an individual to be a licensed addiction counselor or licensed clinical addiction counselor, **not more than thirty (30) days after the application is filed**, if the individual:

- (1) has a valid license or certificate to practice from another state or jurisdiction;
- (2) has passed an examination substantially equivalent to the level for which licensure is being requested;
- (3) does not have a pending disciplinary proceeding in another state; and
- (4) pays a fee.

SECTION 12. IC 25-34.5-2-10.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.1. (a) The committee ~~may~~ **shall** issue a temporary permit to a person to practice respiratory care or to profess to be a respiratory care practitioner, **not more than thirty (30) days after the application is filed**, if the person pays a fee and:

- (1) has:
 - (A) a valid license or certificate to practice from another state; and
 - (B) applied for a license from the committee;
 - (2) is practicing in a state that does not license or certify respiratory care practitioners but is credentialed by a national respiratory care practitioner association approved by the committee, and the person has applied for a license from the committee; or
 - (3) has:
 - (A) been approved by the committee to take the next examination; and
 - (B) graduated from a school or program approved by the committee.
- (b) A temporary permit expires the earlier of:
- (1) the date the person holding the permit is issued a license under



this article; or

(2) the date the committee disapproves the person's license application.

(c) The committee may renew a temporary permit if the person holding the permit was scheduled to take the next examination and:

(1) did not take the examination; and

(2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the person holding the permit receives the results from the next examination given after the permit was issued.

SECTION 13. IC 25-34.5-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The committee ~~may~~ **shall** issue a license by endorsement, **not more than thirty (30) days after the application is filed**, to a person who:

(1) presents satisfactory evidence to the committee that the person holds:

(A) a license or certification to practice respiratory care in:

(i) another state; or

(ii) a jurisdiction of Canada; or

(B) credentials issued by a national respiratory care practitioner organization approved by the committee;

(2) meets the requirements of section 8 of this chapter; and

(3) pays a fee determined by the board after consideration of a recommendation of the committee.

(b) If the applicant presents satisfactory evidence that the applicant has actively engaged in the practice of respiratory care that included actual patient care:

(1) in another jurisdiction;

(2) under the supervision of a physician licensed in that jurisdiction; and

(3) for at least ten (10) of the previous fifteen (15) years preceding the date of application;

the committee may waive the education requirements under subsection (a)(2) and section 8(b) of this chapter if the committee determines that the applicant has sufficient knowledge and experience."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 5 as reprinted January 21, 2022.)

BARRETT

Committee Vote: yeas 12, nays 0.

ES 5—LS 6630/DI 77



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 5, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-15-15-1.2, AS ADDED BY P.L.132-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.2. (a) This section applies only to state fiscal years beginning after June 30, 2021, and ending before July 1, 2023.

(b) As used in this section, "children's hospital" means:

(1) a freestanding general acute care hospital that:

(A) is designated by the Medicare program as a children's hospital; or

(B) furnishes inpatient and outpatient health care services to patients who are predominantly individuals less than nineteen (19) years of age; or

(2) a facility located within a freestanding general acute care hospital that:

(A) is designated by the Medicare program as a children's hospital; or

(B) furnishes inpatient and outpatient health care services to patients who are predominately individuals less than nineteen (19) years of age.

(c) This section applies to reimbursement for inpatient Medicaid services and outpatient Medicaid services provided to a Medicaid recipient who is less than nineteen (19) years of age at a children's hospital that is located in a state bordering Indiana. This section does not apply to reimbursement for non-emergency medical transportation.

(d) Subject to subsection (a), the office shall reimburse a children's hospital for covered services provided to a Medicaid recipient that is described in subsection (c) at a rate set by the secretary that is based on a reimbursement formula that is:

(1) comparable to the current federal Medicare reimbursement rate for the service provided by the children's hospital; or

(2) one hundred thirty percent (130%) of the Medicaid reimbursement rate for a service that does not have a Medicare reimbursement rate.

(e) Before September 1, 2021, the office shall apply to the United States Department of Health and Human Services for any state plan



amendment or Medicaid waiver necessary to implement and administer this section.

(f) The office may adopt rules under IC 4-22-2 necessary for the implementation of this section.

(g) Not later than September 30, 2022, the office shall complete a review of methods of calculating outlier payments in a way that does not negatively impact final reimbursement determined according to the rate set under subsection (d) as compared to final reimbursement when calculated as if the rate adjustment was not required under subsection (d).

~~(g)~~ (h) This section expires July 1, 2023."

Page 5, line 2, after "more" insert "**than**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to ESB 5 as printed February 10, 2022.)

BROWN T

Committee Vote: yeas 24, nays 0.

