

SENATE BILL No. 275

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-1-10.5; IC 25-22.5-1-1.1.

Synopsis: Practitioner identification. Provides that a practitioner holding a license issued by the board of chiropractic examiners, the state board of dentistry, the state board of health facility administrators, the medical licensing board, the state board of nursing, the optometry board, the board of pharmacy, the board of podiatric medicine, the speech-language pathology and audiology board, the state psychology board, the board of physical therapy, the respiratory care committee, the occupational therapy committee, the behavioral health and human services licensing board, the physician assistant committee, the athletic trainers board, or the behavior analyst committee is subject to disciplinary sanctions if the practitioner fails, while providing direct patient care, to wear an identification badge that clearly sets forth the practitioner's first and last name, type of license, and, if applicable, status as a student, intern, trainee, or resident. Establishes certain exceptions. Provides, for purposes of the law prohibiting the unlawful practice of medicine or osteopathic medicine, that "the practice of medicine or osteopathic medicine" includes attaching to an individual's name the words allergist, electrophysiologist, geriatrician, immunologist, medical geneticist, neonatologist, pulmonologist, or any similar title or description of services.

Effective: July 1, 2023.

Johnson T

January 11, 2023, read first time and referred to Committee on Health and Provider Services.



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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

SENATE BILL No. 275

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-1-10.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]:

4 **Chapter 10.5. Health Care Provider Identification Badges**

5 **Sec. 1. As used in this chapter, "direct patient care" means**
6 **health care that:**

7 **(1) provides for the physical, diagnostic, emotional, or**
8 **rehabilitation needs of a patient; or**

9 **(2) involves:**

10 **(A) the examination of a patient;**

11 **(B) the treatment of a patient; or**

12 **(C) the preparation of a patient for diagnostic tests or**
13 **procedures.**

14 **Sec. 2. (a) As used in this chapter, except as provided in**
15 **subsection (b), "practitioner" means an individual who holds a**
16 **license issued by a board described in IC 25-0.5-11, including a**
17 **certificate of registration issued under IC 25-20.**



1 (b) The term does not include a veterinarian licensed under
2 IC 25-38.1.

3 Sec. 3. (a) As used in this chapter, "type of license" means the
4 name or title of the profession of which a practitioner is a member,
5 as displayed on the license issued to the practitioner by the board
6 described in IC 25-0.5-11 that issued the practitioner's license.

7 (b) The term does not include a reference to or an acronym
8 solely associated with the educational degree or qualifications of an
9 individual licensed by a board described in IC 25-0.5-11 unless the
10 reference or acronym is otherwise allowed for use by individuals
11 licensed by the board under the governing statutes and rules.

12 Sec. 4. (a) Except as provided in subsection (b), and subject to
13 subsection (d), a practitioner who provides direct patient care
14 shall, during each patient encounter, wear an identification badge
15 that:

16 (1) is of sufficient size and worn in such a manner as to be
17 visible to the patient;

18 (2) clearly sets forth:

19 (A) the practitioner's first and last name;

20 (B) the type of license held by the practitioner; and

21 (C) if applicable, the practitioner's status as a student,
22 intern, trainee, or resident; and

23 (3) does not contain any initials or abbreviations concerning
24 the type of license held by the practitioner unless the
25 practitioner's license type is also fully written on the badge.

26 (b) A practitioner is not required to wear an identification
27 badge during a patient encounter:

28 (1) if wearing an identification badge is not clinically feasible,
29 such as when the practitioner is in:

30 (A) an operating room;

31 (B) an emergency or trauma setting;

32 (C) a setting where surgical or invasive procedures are
33 performed; or

34 (D) a setting where maintaining a sterile environment is
35 medically necessary;

36 (2) when delivering direct patient care under circumstances
37 in which the practitioner is concerned for the practitioner's
38 own safety; or

39 (3) if the practitioner is providing direct patient care in an
40 office and:

41 (A) the license type and name of each practitioner who
42 works in the office is displayed on the office door in a



1 manner that meets the requirements of subsection (a); or
2 (B) the license of each health care provider working in the
3 office is posted prominently in the office and readily visible
4 to a patient.

5 (c) A practitioner who violates this section is subject to
6 disciplinary sanctions under IC 25-1-9 by the board that issued the
7 practitioner's license.

8 (d) A practitioner meets the requirements of this section if:
9 (1) the practitioner's license type is displayed on a sticker or
10 other object separate from but affixed to the practitioner's
11 identification badge; and
12 (2) the practitioner's badge meets the other requirements
13 under subsection (a)(1) and (a)(2).

14 SECTION 2. IC 25-22.5-1-1.1, AS AMENDED BY
15 P.L.178-2022(ts), SECTION 15, IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1.1. As used in this
17 article:

18 (a) "Practice of medicine or osteopathic medicine" means any one
19 (1) or a combination of the following:

- 20 (1) Holding oneself out to the public as being engaged in:
21 (A) the diagnosis, treatment, correction, or prevention of any
22 disease, ailment, defect, injury, infirmity, deformity, pain, or
23 other condition of human beings;
24 (B) the suggestion, recommendation, or prescription or
25 administration of any form of treatment, without limitation;
26 (C) the performing of any kind of surgical operation upon a
27 human being, including tattooing (except for providing a tattoo
28 as defined in IC 35-45-21-4(a)), in which human tissue is cut,
29 burned, or vaporized by the use of any mechanical means,
30 laser, or ionizing radiation, or the penetration of the skin or
31 body orifice by any means, for the intended palliation, relief,
32 or cure; or
33 (D) the prevention of any physical, mental, or functional
34 ailment or defect of any person.

35 (2) The maintenance of an office or a place of business for the
36 reception, examination, or treatment of persons suffering from
37 disease, ailment, defect, injury, infirmity, deformity, pain, or other
38 conditions of body or mind.

39 (3) Attaching to a name, either alone or in connection with other
40 words, the designation or term:

- 41 (A) "doctor of medicine";
42 (B) "M.D.";



1 (C) "doctor of osteopathy";
 2 (D) "D.O.";
 3 (E) "physician";
 4 (F) "osteopath";
 5 (G) "osteopathic medical physician";
 6 (H) "surgeon";
 7 (I) "physician and surgeon";
 8 (J) "anesthesiologist";
 9 (K) "cardiologist";
 10 (L) "dermatologist";
 11 (M) "endocrinologist";
 12 (N) "gastroenterologist";
 13 (O) "gynecologist";
 14 (P) "hematologist";
 15 (Q) "internist";
 16 (R) "laryngologist";
 17 (S) "nephrologist";
 18 (T) "neurologist";
 19 (U) "obstetrician";
 20 (V) "oncologist";
 21 (W) "ophthalmologist";
 22 (X) "orthopedic surgeon";
 23 (Y) "orthopedist";
 24 (Z) "otologist";
 25 (AA) "otolaryngologist";
 26 (BB) "otorhinolaryngologist";
 27 (CC) "pathologist";
 28 (DD) "pediatrician";
 29 (EE) "primary care physician";
 30 (FF) "proctologist";
 31 (GG) "psychiatrist";
 32 (HH) "radiologist";
 33 (II) "rheumatologist";
 34 (JJ) "rhinologist";
 35 (KK) "urologist";
 36 (LL) "medical doctor";
 37 (MM) "family practice physician"; or
 38 (NN) "physiatrist";
 39 **(OO) "allergist";**
 40 **(PP) "electrophysiologist";**
 41 **(QQ) "geriatrician";**
 42 **(RR) "immunologist";**



- 1 **(SS) "medical geneticist";**
- 2 **(TT) "neonatologist";**
- 3 **(UU) "pulmonologist"; or**
- 4 **(VV) any similar title or description of services.**
- 5 This subdivision does not apply to a practitioner if the practitioner
- 6 has a special area of practice and the practitioner uses the
- 7 following format: "[The name or title of the practitioner's
- 8 profession] specializing in [name of specialty]".
- 9 (4) Nothing in subdivision (3) prevents the following:
- 10 (A) A practitioner from using the name or title of the
- 11 practitioner's profession that is allowed under the practitioner's
- 12 practice act or under a law in the Indiana Code.
- 13 (B) A practitioner who is a chiropractor (as defined in
- 14 IC 25-10-1-1) and who has attained diplomate status in a
- 15 chiropractic specialty area recognized by the American
- 16 Chiropractic Association, International Chiropractors
- 17 Association, or International Academy of Clinical Neurology
- 18 before July 1, 2025, from using a designation or term included
- 19 in subdivision (3) in conjunction with the name or title of the
- 20 practitioner's profession.
- 21 (C) A practitioner who is a dentist licensed under IC 25-14-1
- 22 and who has completed a dental anesthesiology residency
- 23 recognized by the American Dental Board of Anesthesiology
- 24 before July 1, 2025, from using a designation or term included
- 25 in subdivision (3) in conjunction with the name or title of the
- 26 practitioner's profession.
- 27 (5) Providing diagnostic or treatment services to a person in
- 28 Indiana when the diagnostic or treatment services:
- 29 (A) are transmitted through electronic communications; and
- 30 (B) are on a regular, routine, and nonepisodic basis or under
- 31 an oral or written agreement to regularly provide medical
- 32 services.
- 33 In addition to the exceptions described in section 2 of this chapter,
- 34 a nonresident physician who is located outside Indiana does not
- 35 practice medicine or osteopathy in Indiana by providing a second
- 36 opinion to a licensee or diagnostic or treatment services to a
- 37 patient in Indiana following medical care originally provided to
- 38 the patient while outside Indiana.
- 39 (b) "Board" refers to the medical licensing board of Indiana.
- 40 (c) "Diagnose or diagnosis" means to examine a patient, parts of a
- 41 patient's body, substances taken or removed from a patient's body, or
- 42 materials produced by a patient's body to determine the source or



1 nature of a disease or other physical or mental condition, or to hold
2 oneself out or represent that a person is a physician and is so examining
3 a patient. It is not necessary that the examination be made in the
4 presence of the patient; it may be made on information supplied either
5 directly or indirectly by the patient.

6 (d) "Drug or medicine" means any medicine, compound, or
7 chemical or biological preparation intended for internal or external use
8 of humans, and all substances intended to be used for the diagnosis,
9 cure, mitigation, or prevention of diseases or abnormalities of humans,
10 which are recognized in the latest editions published of the United
11 States Pharmacopoeia or National Formulary, or otherwise established
12 as a drug or medicine.

13 (e) "Licensee" means any individual holding a valid unlimited
14 license issued by the board under this article.

15 (f) "Prescribe or prescription" means to direct, order, or designate
16 the use of or manner of using a drug, medicine, or treatment, by spoken
17 or written words or other means and in accordance with IC 25-1-9.3.

18 (g) "Physician" means any person who holds the degree of doctor of
19 medicine or doctor of osteopathy or its equivalent and who holds a
20 valid unlimited license to practice medicine or osteopathic medicine in
21 Indiana.

22 (h) "Medical school" means a nationally accredited college of
23 medicine or of osteopathic medicine approved by the board.

24 (i) "Physician assistant" means an individual who:

25 (1) has a collaborative agreement with a physician;

26 (2) graduated from an approved physician assistant program
27 described in IC 25-27.5-2-2;

28 (3) passed the examination administered by the National
29 Commission on Certification of Physician Assistants (NCCPA)
30 and maintains certification; and

31 (4) has been licensed by the physician assistant committee under
32 IC 25-27.5.

33 (j) "Agency" refers to the Indiana professional licensing agency
34 under IC 25-1-5.

35 (k) "INSPECT program" means the Indiana scheduled prescription
36 electronic collection and tracking program established by IC 25-1-13-4.

