



February 3, 2023

---

---

## SENATE BILL No. 275

---

DIGEST OF SB 275 (Updated February 1, 2023 2:10 pm - DI 104)

**Citations Affected:** IC 25-22.5.

**Synopsis:** Practice of medicine terms. 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, Brown L

---

---

January 11, 2023, read first time and referred to Committee on Health and Provider Services.  
February 2, 2023, amended, reported favorably — Do Pass.

---

---

SB 275—LS 6992/DI 77





February 3, 2023

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 25-22.5-1-1.1, AS AMENDED BY  
2 P.L.178-2022(ts), SECTION 15, IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1.1. As used in this  
4 article:  
5 (a) "Practice of medicine or osteopathic medicine" means any one  
6 (1) or a combination of the following:  
7 (1) Holding oneself out to the public as being engaged in:  
8 (A) the diagnosis, treatment, correction, or prevention of any  
9 disease, ailment, defect, injury, infirmity, deformity, pain, or  
10 other condition of human beings;  
11 (B) the suggestion, recommendation, or prescription or  
12 administration of any form of treatment, without limitation;  
13 (C) the performing of any kind of surgical operation upon a  
14 human being, including tattooing (except for providing a tattoo  
15 as defined in IC 35-45-21-4(a)), in which human tissue is cut,  
16 burned, or vaporized by the use of any mechanical means,  
17 laser, or ionizing radiation, or the penetration of the skin or

SB 275—LS 6992/DI 77



- 1 body orifice by any means, for the intended palliation, relief,  
 2 or cure; or  
 3 (D) the prevention of any physical, mental, or functional  
 4 ailment or defect of any person.
- 5 (2) The maintenance of an office or a place of business for the  
 6 reception, examination, or treatment of persons suffering from  
 7 disease, ailment, defect, injury, infirmity, deformity, pain, or other  
 8 conditions of body or mind.
- 9 (3) Attaching to a name, either alone or in connection with other  
 10 words, the designation or term:
- 11 (A) "doctor of medicine";  
 12 (B) "M.D.";  
 13 (C) "doctor of osteopathy";  
 14 (D) "D.O.";  
 15 (E) "physician";  
 16 (F) "osteopath";  
 17 (G) "osteopathic medical physician";  
 18 (H) "surgeon";  
 19 (I) "physician and surgeon";  
 20 (J) "anesthesiologist";  
 21 (K) "cardiologist";  
 22 (L) "dermatologist";  
 23 (M) "endocrinologist";  
 24 (N) "gastroenterologist";  
 25 (O) "gynecologist";  
 26 (P) "hematologist";  
 27 (Q) "internist";  
 28 (R) "laryngologist";  
 29 (S) "nephrologist";  
 30 (T) "neurologist";  
 31 (U) "obstetrician";  
 32 (V) "oncologist";  
 33 (W) "ophthalmologist";  
 34 (X) "orthopedic surgeon";  
 35 (Y) "orthopedist";  
 36 (Z) "otologist";  
 37 (AA) "otolaryngologist";  
 38 (BB) "otorhinolaryngologist";  
 39 (CC) "pathologist";  
 40 (DD) "pediatrician";  
 41 (EE) "primary care physician";  
 42 (FF) "proctologist";



- 1 (GG) "psychiatrist";  
 2 (HH) "radiologist";  
 3 (II) "rheumatologist";  
 4 (JJ) "rhinologist";  
 5 (KK) "urologist";  
 6 (LL) "medical doctor";  
 7 (MM) "family practice physician"; or  
 8 (NN) "physiatrist";  
 9 **(OO) "allergist";**  
 10 **(PP) "electrophysiologist";**  
 11 **(QQ) "geriatrician";**  
 12 **(RR) "immunologist";**  
 13 **(SS) "medical geneticist";**  
 14 **(TT) "neonatologist";**  
 15 **(UU) "pulmonologist"; or**  
 16 **(VV) any similar title or description of services.**

17 This subdivision does not apply to a practitioner if the practitioner  
 18 has a special area of practice and the practitioner uses the  
 19 following format: "[The name or title of the practitioner's  
 20 profession] specializing in [name of specialty]".

21 (4) Nothing in subdivision (3) prevents the following:

22 (A) A practitioner from using the name or title of the  
 23 practitioner's profession that is allowed under the practitioner's  
 24 practice act or under a law in the Indiana Code.

25 (B) A practitioner who is a chiropractor (as defined in  
 26 IC 25-10-1-1) and who has attained diplomate status in a  
 27 chiropractic specialty area recognized by the American  
 28 Chiropractic Association, International Chiropractors  
 29 Association, or International Academy of Clinical Neurology  
 30 before July 1, 2025, from using a designation or term included  
 31 in subdivision (3) in conjunction with the name or title of the  
 32 practitioner's profession.

33 (C) A practitioner who is a dentist licensed under IC 25-14-1  
 34 and who has completed a dental anesthesiology residency  
 35 recognized by the American Dental Board of Anesthesiology  
 36 before July 1, 2025, from using a designation or term included  
 37 in subdivision (3) in conjunction with the name or title of the  
 38 practitioner's profession.

39 (5) Providing diagnostic or treatment services to a person in  
 40 Indiana when the diagnostic or treatment services:

41 (A) are transmitted through electronic communications; and

42 (B) are on a regular, routine, and nonepisodic basis or under



1           an oral or written agreement to regularly provide medical  
2           services.

3           In addition to the exceptions described in section 2 of this chapter,  
4           a nonresident physician who is located outside Indiana does not  
5           practice medicine or osteopathy in Indiana by providing a second  
6           opinion to a licensee or diagnostic or treatment services to a  
7           patient in Indiana following medical care originally provided to  
8           the patient while outside Indiana.

9           (b) "Board" refers to the medical licensing board of Indiana.

10          (c) "Diagnose or diagnosis" means to examine a patient, parts of a  
11          patient's body, substances taken or removed from a patient's body, or  
12          materials produced by a patient's body to determine the source or  
13          nature of a disease or other physical or mental condition, or to hold  
14          oneself out or represent that a person is a physician and is so examining  
15          a patient. It is not necessary that the examination be made in the  
16          presence of the patient; it may be made on information supplied either  
17          directly or indirectly by the patient.

18          (d) "Drug or medicine" means any medicine, compound, or  
19          chemical or biological preparation intended for internal or external use  
20          of humans, and all substances intended to be used for the diagnosis,  
21          cure, mitigation, or prevention of diseases or abnormalities of humans,  
22          which are recognized in the latest editions published of the United  
23          States Pharmacopoeia or National Formulary, or otherwise established  
24          as a drug or medicine.

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

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

30          (g) "Physician" means any person who holds the degree of doctor of  
31          medicine or doctor of osteopathy or its equivalent and who holds a  
32          valid unlimited license to practice medicine or osteopathic medicine in  
33          Indiana.

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

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

- 37           (1) has a collaborative agreement with a physician;  
38           (2) graduated from an approved physician assistant program  
39           described in IC 25-27.5-2-2;  
40           (3) passed the examination administered by the National  
41           Commission on Certification of Physician Assistants (NCCPA)  
42           and maintains certification; and



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

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

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



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 275, 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 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 13.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 275 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 12, Nays 0.

