

SENATE BILL No. 576

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-1-8-1; IC 4-3-25-4; IC 4-6; IC 4-30-6-5; IC 4-32.2-9-4; IC 4-36-7-4; IC 10-13-3; IC 12-23; IC 16-19-18; IC 20-20-38-5; IC 22-4.1-2-2; IC 23-1.5-1-5; IC 25-0.5; IC 25-1; IC 25-2.1; IC 25-2.5-1-2.5; IC 25-4; IC 25-5.1-1-1.5; IC 25-6.1-1-3; IC 25-8; IC 25-10-1-1; IC 25-13-1-8; IC 25-14-1; IC 25-14.3-1-2; IC 25-14.5-1-3; IC 25-15-9-14; IC 25-17.3-2-2; IC 25-19-1; IC 25-20.2-2-2; IC 25-20.7-1-2; IC 25-21.5-1-6; IC 25-21.8; IC 25-22.5; IC 25-23-1; IC 25-23.4; IC 25-23.5-5-9; IC 25-23.7; IC 25-24; IC 25-26; IC 25-27-1-8; IC 25-27.5; IC 25-28.5-1-2; IC 25-29-1-9.5; IC 25-30-1-2; IC 25-31-1-2; IC 25-33-1-2; IC 25-34.1; IC 25-35.6; IC 25-38.1-1-4; IC 34-30-2; IC 35-38-6-1; IC 35-48.

Synopsis: Regulation of certain professions and occupations. Eliminates the professional licensing agency (PLA). Establishes the health professions licensing agency (HPLA) within the state department of health to license health professions. Requires the state health commissioner to appoint the director and deputy directors of the HPLA. Establishes the workforce licensing agency (WLA) within the department of workforce development to license occupations that are not health professions. Requires the commissioner of the department of workforce development to appoint the director and deputy directors of the WLA. Requires the WLA to operate and maintain the electronic registry of professions. Transfers responsibilities under the INSPECT program from the PLA to the HPLA. Removes the requirements that the directors of the HPLA and the WLA execute a surety bond. Establishes transition provisions. Makes conforming changes. Removes expired provisions. Makes technical changes.

Effective: July 1, 2019.

Merritt

January 14, 2019, read first time and referred to Committee on Commerce and Technology.



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.

SENATE BILL No. 576

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 4-1-8-1, AS AMENDED BY P.L.86-2018,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 1. (a) No individual may be compelled by any
4 state agency, board, commission, department, bureau, or other entity of
5 state government (referred to as "state agency" in this chapter) to
6 provide the individual's Social Security number to the state agency
7 against the individual's will, absent federal requirements to the
8 contrary. However, the provisions of this chapter do not apply to the
9 following:
10 (1) Department of state revenue.
11 (2) Department of workforce development, **including the**
12 **workforce licensing agency.**
13 (3) The programs administered by:
14 (A) the division of family resources;
15 (B) the division of mental health and addiction;
16 (C) the division of disability and rehabilitative services;
17 (D) the division of aging; and



- 1 (E) the office of Medicaid policy and planning;
 2 of the office of the secretary of family and social services.
 3 (4) Auditor of state.
 4 (5) State personnel department.
 5 (6) Secretary of state, with respect to the registration of
 6 broker-dealers, agents, and investment advisors.
 7 (7) The lobby registration commission, with respect to the
 8 registration of lobbyists.
 9 (8) Indiana department of administration, with respect to bidders
 10 on contracts.
 11 (9) Indiana department of transportation, with respect to bidders
 12 on contracts.
 13 ~~(10) Indiana professional licensing agency.~~
 14 ~~(11)~~ (10) Department of insurance, with respect to licensing of
 15 insurance producers.
 16 ~~(12)~~ (11) The department of child services.
 17 ~~(13)~~ (12) A pension fund administered by the board of trustees of
 18 the Indiana public retirement system.
 19 ~~(14)~~ (13) The state police benefit system.
 20 ~~(15)~~ (14) The alcohol and tobacco commission.
 21 ~~(16)~~ (15) The state department of health:
 22 (A) for purposes of licensing radiologic technologists under
 23 IC 16-41-35-29(c); and
 24 (B) by the health professions licensing agency.
 25 (b) The bureau of motor vehicles may, notwithstanding this chapter,
 26 require the following:
 27 (1) That an individual include the individual's Social Security
 28 number in an application for an official certificate of title for any
 29 vehicle required to be titled under IC 9-17.
 30 (2) That an individual include the individual's Social Security
 31 number on an application for registration.
 32 (3) That a corporation, limited liability company, firm,
 33 partnership, or other business entity include its federal tax
 34 identification number on an application for registration.
 35 (4) That an individual include the individual's Social Security
 36 number on an application for a license, a permit, or an
 37 identification card.
 38 (c) The Indiana department of administration, the Indiana
 39 department of transportation, **the health professions licensing agency**,
 40 and the ~~Indiana professional workforce~~ licensing agency may require
 41 an employer to provide its federal employer identification number.
 42 (d) The department of correction may require a committed offender



1 to provide the offender's Social Security number for purposes of
 2 matching data with the Social Security Administration to determine
 3 benefit eligibility.

4 (e) The Indiana gaming commission may, notwithstanding this
 5 chapter, require the following:

6 (1) That an individual include the individual's Social Security
 7 number:

8 (A) in any application for a riverboat owner's license,
 9 supplier's license, or occupational license; or

10 (B) in any document submitted to the commission in the
 11 course of an investigation necessary to ensure that gaming
 12 under IC 4-32.2, IC 4-33, and IC 4-35 is conducted with
 13 credibility and integrity.

14 (2) That a sole proprietorship, a partnership, an association, a
 15 fiduciary, a corporation, a limited liability company, or any other
 16 business entity include its federal tax identification number on an
 17 application for a riverboat owner's license or supplier's license.

18 (f) Notwithstanding this chapter, the department of education
 19 established by IC 20-19-3-1 may require an individual who applies to
 20 the department for a license or an endorsement to provide the
 21 individual's Social Security number. The Social Security number may
 22 be used by the department only for conducting a background
 23 investigation, if the department is authorized by statute to conduct a
 24 background investigation of an individual for issuance of the license or
 25 endorsement.

26 SECTION 2. IC 4-3-25-4, AS AMENDED BY P.L.205-2017,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2019]: Sec. 4. The commission consists of the following
 29 twenty (20) members:

30 (1) A member of the governor's staff appointed by the governor.

31 (2) An appellate or trial court judge appointed by the chief justice
 32 of the supreme court to serve on the commission for a term of four
 33 (4) years.

34 (3) One (1) legislative member appointed by the president pro
 35 tempore of the senate.

36 (4) One (1) legislative member appointed by the minority leader
 37 of the senate.

38 (5) One (1) legislative member appointed by the speaker of the
 39 house of representatives.

40 (6) One (1) legislative member appointed by the minority leader
 41 of the house of representatives.

42 (7) The superintendent of public instruction.



- 1 (8) The director of the department of child services.
 2 (9) The executive director of the Indiana prosecuting attorneys
 3 council.
 4 (10) The executive director of the public defender council of
 5 Indiana.
 6 (11) The secretary of family and social services.
 7 (12) The state health commissioner.
 8 (13) The commissioner of the department of correction.
 9 (14) The superintendent of the state police department.
 10 (15) The director of the office of management and budget or the
 11 budget director, as selected by the governor.
 12 (16) The executive director of the Indiana criminal justice
 13 institute.
 14 (17) The ~~executive~~ director of the ~~professional health professions~~
 15 licensing agency.
 16 (18) The attorney general, who shall serve as a nonvoting
 17 member.
 18 (19) One (1) member at large appointed by the governor.
 19 (20) The executive director of the Indiana housing and
 20 community development authority.
- 21 SECTION 3. IC 4-6-12-4, AS AMENDED BY P.L.66-2014,
 22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2019]: Sec. 4. (a) The following may cooperate with the unit
 24 to implement this chapter:
- 25 (1) The ~~Indiana professional workforce~~ licensing agency and the
 26 appropriate licensing boards with respect to persons licensed
 27 under IC 25.
 28 (2) The department of financial institutions.
 29 (3) The department of insurance with respect to the sale of
 30 insurance in connection with mortgage lending.
 31 (4) The securities division of the office of the secretary of state.
 32 (5) The supreme court disciplinary commission with respect to
 33 attorney misconduct.
 34 (6) The Indiana housing and community development authority.
 35 (7) The department of state revenue.
 36 (8) The state police department.
 37 (9) A prosecuting attorney.
 38 (10) Local law enforcement agencies.
 39 (11) The lieutenant governor.
 40 (12) The county auditor.
 41 (13) The county treasurer.
 42 (14) The county recorder.



1 (b) Notwithstanding IC 5-14-3, the entities listed in subsection (a)
2 may share information with the unit.

3 SECTION 4. IC 4-6-14-12, AS ADDED BY P.L.84-2010,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2019]: Sec. 12. The following may cooperate with the attorney
6 general's office to implement this chapter:

7 (1) The ~~Indiana professional health professions~~ licensing agency
8 and the appropriate board that regulates a health care provider
9 **under IC 25. or**

10 **(2) The workforce licensing agency and the board that**
11 **regulates** a regulated professional under IC 25.

12 ~~(3)~~ **(3)** The state police department.

13 ~~(4)~~ **(4)** A prosecuting attorney.

14 ~~(5)~~ **(5)** Local law enforcement agencies.

15 ~~(6)~~ **(6)** Federal law enforcement agencies.

16 SECTION 5. IC 4-30-6-5 IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The state police department
18 shall provide:

19 (1) assistance in obtaining criminal history information relevant
20 to investigations required for honest, secure, exemplary lottery
21 operations; and

22 (2) any other assistance that may be requested by the director and
23 agreed to by the superintendent of the state police department.

24 (b) Any other state agency, including the department of state
25 revenue and the ~~professional workforce~~ licensing agency, shall upon
26 request provide the lottery commission with information relevant to an
27 investigation conducted under this article. The commission shall
28 reimburse an agency for the actual cost of providing assistance under
29 this section.

30 SECTION 6. IC 4-32.2-9-4, AS ADDED BY P.L.91-2006,
31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 4. (a) The state police department shall, at the
33 request of the executive director, provide the following:

34 (1) Assistance in obtaining criminal history information relevant
35 to investigations required for honest, secure, exemplary
36 operations under this article.

37 (2) Any other assistance requested by the executive director and
38 agreed to by the superintendent of the state police department.

39 (b) Any other state agency, including the alcohol and tobacco
40 commission and the ~~Indiana professional workforce~~ licensing agency,
41 shall upon request provide the executive director with information
42 relevant to an investigation conducted under this article.



1 SECTION 7. IC 4-36-7-4, AS AMENDED BY P.L.109-2015,
 2 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 4. (a) The state police department shall, at the
 4 request of the commission, provide the following:

5 (1) Assistance in obtaining criminal history information relevant
 6 to investigations required for honest, secure, and exemplary
 7 operations under this article.

8 (2) Any other assistance requested by the executive secretary of
 9 the commission and agreed to by the superintendent of the state
 10 police department.

11 (b) Any other state agency, including the Indiana gaming
 12 commission and the ~~Indiana professional workforce~~ licensing agency,
 13 shall upon request provide the commission with information relevant
 14 to an investigation conducted under this article.

15 SECTION 8. IC 10-13-3-36, AS AMENDED BY P.L.51-2016,
 16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2019]: Sec. 36. (a) The department may not charge a fee for
 18 responding to a request for the release of a limited criminal history
 19 record if the request is made by a nonprofit organization:

20 (1) that has been in existence for at least ten (10) years; and

21 (2) that:

22 (A) has a primary purpose of providing an individual
 23 relationship for a child with an adult volunteer if the request
 24 is made as part of a background investigation of a prospective
 25 adult volunteer for the organization;

26 (B) is a community intellectual disability and other
 27 developmental disabilities center (as defined in IC 12-7-2-39);

28 (C) is a supervised group living facility licensed under
 29 IC 12-28-5;

30 (D) is an area agency on aging designated under IC 12-10-1;

31 (E) is a community action agency (as defined in
 32 IC 12-14-23-2);

33 (F) is the owner or operator of a hospice program licensed
 34 under IC 16-25-3; or

35 (G) is a community mental health center (as defined in
 36 IC 12-7-2-38).

37 (b) Except as provided in subsection (d), the department may not
 38 charge a fee for responding to a request for the release of a limited
 39 criminal history record made by the department of child services or the
 40 division of family resources if the request is made as part of a
 41 background investigation of an applicant for a license under IC 12-17.2
 42 or IC 31-27.



1 (c) The department may not charge a fee for responding to a request
 2 for the release of a limited criminal history if the request is made by a
 3 school corporation, special education cooperative, or nonpublic school
 4 (as defined in IC 20-18-2-12) as part of a background investigation of
 5 a prospective or current employee or a prospective or current adult
 6 volunteer for the school corporation, special education cooperative, or
 7 nonpublic school.

8 (d) As used in this subsection, "state agency" means an authority, a
 9 board, a branch, a commission, a committee, a department, a division,
 10 or another instrumentality of state government, including the executive
 11 and judicial branches of state government, the principal secretary of the
 12 senate, the principal clerk of the house of representatives, the executive
 13 director of the legislative services agency, a state elected official's
 14 office, or a body corporate and politic, but does not include a state
 15 educational institution. The department may not charge a fee for
 16 responding to a request for the release of a limited criminal history if
 17 the request is made:

18 (1) by a state agency; and

19 (2) through the computer gateway that is administered by the
 20 office of technology established by IC 4-13.1-2-1.

21 (e) The department may not charge a fee for responding to a request
 22 for the release of a limited criminal history record made by the ~~Indiana~~
 23 ~~professional health professions~~ licensing agency established by
 24 ~~IC 25-1-5-3~~ **IC 16-19-18-2** if the request is:

25 (1) made through the computer gateway that is administered by
 26 the office of technology; and

27 (2) part of a background investigation of a practitioner or an
 28 individual who has applied for a license issued by a board (as
 29 defined in IC 25-1-9-1).

30 (f) The department may not charge a church or religious society a
 31 fee for responding to a request for the release of a limited criminal
 32 history record if:

33 (1) the church or religious society is a religious organization
 34 exempt from federal income taxation under Section 501 of the
 35 Internal Revenue Code;

36 (2) the request is made as part of a background investigation of a
 37 prospective or current employee or a prospective or current adult
 38 volunteer; and

39 (3) the employee or volunteer works in a nonprofit program or
 40 ministry of the church or religious society, including a child care
 41 ministry registered under IC 12-17.2-6.

42 (g) The department may not charge the school of education of a



1 public or private postsecondary educational institution a fee for
 2 responding to a request for the release of a limited criminal history
 3 record if the request is made as part of a background investigation of
 4 a student before or after the student begins the student's field or
 5 classroom experience. However, the department may charge the
 6 student a fee for responding to a request for the release of a limited
 7 criminal history record.

8 SECTION 9. IC 10-13-3-38.5, AS AMENDED BY
 9 P.L.212-2018(ss), SECTION 31, IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 38.5. (a) Under federal
 11 P.L.92-544 (86 Stat. 1115), the department may use an individual's
 12 fingerprints submitted by the individual for the following purposes:

13 (1) Determining the individual's suitability for employment with
 14 the state, or as an employee of a contractor of the state, in a
 15 position:

16 (A) that has a job description that includes contact with, care
 17 of, or supervision over a person less than eighteen (18) years
 18 of age;

19 (B) that has a job description that includes contact with, care
 20 of, or supervision over an endangered adult (as defined in
 21 IC 12-10-3-2), except the individual is not required to meet the
 22 standard for harmed or threatened with harm set forth in
 23 IC 12-10-3-2(a)(3);

24 (C) at a state institution managed by the office of the secretary
 25 of family and social services or state department of health;

26 (D) at the Indiana School for the Deaf established by
 27 IC 20-22-2-1;

28 (E) at the Indiana School for the Blind and Visually Impaired
 29 established by IC 20-21-2-1;

30 (F) at a juvenile detention facility;

31 (G) with the Indiana gaming commission under IC 4-33-3-16;

32 (H) with the department of financial institutions under
 33 IC 28-11-2-3; or

34 (I) that has a job description that includes access to or
 35 supervision over state financial or personnel data, including
 36 state warrants, banking codes, or payroll information
 37 pertaining to state employees.

38 (2) Determining the individual's suitability for employment with
 39 state or local government, or as an employee of a contractor of
 40 state or local government, in a position in which the individual's
 41 duties include access to confidential tax information obtained
 42 from the United States Internal Revenue Service under Section



- 1 6103(d) of the Internal Revenue Code or from an authorized
2 secondary source.
- 3 (3) Identification in a request related to an application for a
4 teacher's license submitted to the department of education
5 established by IC 20-19-3-1.
- 6 (4) Use by the gaming commission established under IC 4-33-3-1
7 for licensure of a promoter (as defined in IC 4-33-22-6) under
8 IC 4-33-22.
- 9 (5) Use by the Indiana board of pharmacy in determining the
10 individual's suitability for a position or employment with a
11 wholesale drug distributor, as specified in IC 25-26-14-16(b),
12 IC 25-26-14-16.5(b), IC 25-26-14-17.8(c), and IC 25-26-14-20.
- 13 (6) Identification in a request related to an individual applying for
14 or renewing a license or certificate described in IC 25-1-1.1-4 and
15 a conviction described in IC 25-1-1.1-2 or IC 25-1-1.1-3.
- 16 An applicant shall submit the fingerprints in an appropriate format or
17 on forms provided for the employment, license, or certificate
18 application. The department shall charge each applicant the fee
19 established under section 28 of this chapter and by federal authorities
20 to defray the costs associated with a search for and classification of the
21 applicant's fingerprints. The department may forward fingerprints
22 submitted by an applicant to the Federal Bureau of Investigation or any
23 other agency for processing. The state personnel department, the
24 ~~Indiana professional health professions~~ **licensing agency, the**
25 **workforce licensing agency**, or the agency to which the applicant is
26 applying for employment or a license may receive the results of all
27 fingerprint investigations.
- 28 (b) An applicant who is an employee of the state may not be charged
29 under subsection (a).
- 30 (c) Subsection (a)(1) does not apply to an employee of a contractor
31 of the state if the contract involves the construction or repair of a
32 capital project or other public works project of the state.
- 33 (d) Each current or new state or local government employee whose
34 duties include access to confidential tax information described in
35 subsection (a)(2) must submit to a fingerprint based criminal history
36 background check of both national and state records data bases before
37 being granted access to the confidential tax information. In addition to
38 the initial criminal history background checks, each state or local
39 government employee whose duties include access to confidential tax
40 information described in subsection (a)(2) must submit to such
41 criminal history background checks at least once every ten (10) years
42 thereafter. The appointing authority of such a state or local government



1 employee may pay any fee charged for the cost of fingerprinting or
 2 conducting the criminal history background checks for the state or local
 3 government employee. Only the state or local government agency in its
 4 capacity as the individual's employer or to which the applicant is
 5 applying for employment is entitled to receive the results of all
 6 fingerprint investigations.

7 (e) Each current or new contractor or subcontractor whose contract
 8 or subcontract grants access to confidential tax information described
 9 in subsection (a)(2) must submit to a fingerprint based criminal history
 10 background check of both national and state records data bases at least
 11 once every ten (10) years before being granted access to the
 12 confidential tax information. Only the state or local government agency
 13 is entitled to receive the results of all fingerprint investigations
 14 conducted under this subsection.

15 (f) Each contract entered into by the state in which access to
 16 confidential tax information described in subsection (a)(2) is granted
 17 to a contractor or a subcontractor shall include:

- 18 (1) terms regarding which party is responsible for payment of any
 19 fee charged for the cost of the fingerprinting or the criminal
 20 history background checks; and
- 21 (2) terms regarding the consequences if one (1) or more
 22 disqualifying records are discovered through the criminal history
 23 background checks.

24 (g) The department:

- 25 (1) may permanently retain an applicant's fingerprints submitted
 26 under this section; and
- 27 (2) shall retain the applicant's fingerprints separately from
 28 fingerprints collected under section 24 of this chapter.

29 SECTION 10. IC 12-23-18-7.5, AS ADDED BY P.L.8-2016,
 30 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 7.5. (a) This section applies to an office based
 32 opioid treatment provider who:

- 33 (1) has obtained a waiver from the federal Substance Abuse and
 34 Mental Health Services Administration (SAMHSA) and meets the
 35 qualifying standards required to treat opioid addicted patients in
 36 an office based setting; and
- 37 (2) has a valid federal Drug Enforcement Administration
 38 registration number and identification number that specifically
 39 authorizes treatment in an office based setting.

40 (b) The office of the secretary and the division shall develop a
 41 treatment protocol containing best practice guidelines for the treatment
 42 of opiate dependent patients. The treatment protocol must require the



1 minimal clinically necessary medication dose, including, when
 2 appropriate, the goal of opioid abstinence, and including the following:

3 (1) Appropriate clinical use of any drug approved by the federal
 4 Food and Drug Administration for the treatment of opioid
 5 addiction, including the following:

6 (A) Opioid maintenance.

7 (B) Opioid detoxification.

8 (C) Overdose reversal.

9 (D) Relapse prevention.

10 (E) Long acting, nonaddictive medication assisted treatment
 11 medications.

12 (2) A requirement for initial and periodic behavioral health
 13 assessments for each patient.

14 (3) Appropriate use of providing overdose reversal, relapse
 15 prevention, counseling, and ancillary services.

16 (4) Transitioning off agonist and partial agonist therapies, when
 17 appropriate, with the goal of opioid abstinence.

18 (5) Training and experience requirements for prescribers of drugs
 19 described in subdivision (1) in the treatment and management of
 20 opiate dependent patients.

21 (6) A requirement that prescribers obtain informed consent from
 22 a patient concerning all available opioid treatment options,
 23 including each option's potential benefits and risks, before
 24 prescribing a drug described in subdivision (1).

25 (c) ~~Before December 31, 2016,~~ The office of the secretary shall
 26 recommend the clinical practice guidelines required under subsection
 27 (b) to:

28 (1) the ~~Indiana professional health professions~~ licensing agency
 29 established under ~~IC 25-1-5; IC 16-19-18-2;~~

30 (2) the office of Medicaid policy and planning established under
 31 IC 12-8-6.5; and

32 (3) a managed care organization that has contracted with the
 33 office of Medicaid policy and planning.

34 SECTION 11. IC 12-23-19-3, AS AMENDED BY P.L.195-2018,
 35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 3. Except as provided in IC 12-23-19.5, mental
 37 health and addiction forensic treatment services may be administered
 38 or coordinated only by a provider certified by the division of mental
 39 health and addiction or licensed by the ~~Indiana professional health~~
 40 **professions** licensing agency to provide mental health and addiction
 41 treatment services.

42 SECTION 12. IC 12-23-20-1, AS ADDED BY P.L.37-2016,



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 1. (a) This section applies to an office based
3 opioid treatment provider who:

4 (1) has obtained a waiver from the federal Substance Abuse and
5 Mental Health Services Administration (SAMHSA) and meets the
6 qualifying standards required to treat opioid addicted patients in
7 an office based setting; and

8 (2) has a valid federal Drug Enforcement Administration
9 registration number and identification number that specifically
10 authorizes treatment in an office based setting.

11 (b) The office of the secretary and the division shall develop a
12 treatment protocol containing best practice guidelines for the treatment
13 of opiate dependent patients. The treatment protocol must require the
14 minimal clinically necessary medication dose that includes, when
15 appropriate, the goal of opioid abstinence, and the following:

16 (1) Require an opioid treatment provider to periodically and
17 randomly test a patient for the following before and during the
18 patient's treatment by the provider:

19 (A) Methadone.

20 (B) Cocaine.

21 (C) Opiates.

22 (D) Amphetamines.

23 (E) Barbiturates.

24 (F) Tetrahydrocannabinol.

25 (G) Benzodiazepines.

26 (H) Any other suspected or known drug that may have been
27 abused by the patient.

28 (2) Require that if a patient tests positive under a test described in
29 subdivision (1) for:

30 (A) a controlled substance other than a drug for which the
31 patient has a prescription or that is part of the patient's
32 treatment plan with the provider; or

33 (B) an illegal drug other than the drug that is part of the
34 patient's treatment plan with the provider;

35 the opioid treatment provider and the patient shall review the
36 treatment plan and consider changes with the goal of opioid
37 abstinence.

38 (3) Require that an opioid treatment provider must determine that
39 the benefit to the patient in receiving the take home opioid
40 treatment medication outweighs the potential risk of diversion of
41 the take home opioid treatment medication.

42 (4) Develop clinical standards for:



- 1 (A) the appropriate tapering of a patient on and off an opioid
- 2 treatment medication;
- 3 (B) relapse; and
- 4 (C) overdose prevention.
- 5 (5) Develop standards and protocols for an opioid treatment
- 6 provider to do the following:
- 7 (A) Assess new opioid treatment patients to determine the
- 8 most effective opioid treatment medications to start the
- 9 patient's opioid treatment.
- 10 (B) Ensure that each patient voluntarily chooses maintenance
- 11 treatment and that relevant facts concerning the use of opioid
- 12 treatment medications, including nonaddictive medication
- 13 options, are clearly and adequately explained to the patient.
- 14 (C) Have appropriate opioid treatment patients who are
- 15 receiving maintenance medications for opioid treatment move
- 16 to receiving other approved opioid treatment medications.
- 17 (c) ~~Before December 31, 2016,~~ The office of the secretary shall
- 18 recommend the best practice guidelines required under subsection (b)
- 19 to:
- 20 (1) the ~~Indiana professional health professions~~ licensing agency
- 21 established under ~~IC 25-1-5; IC 16-19-18-2;~~
- 22 (2) the office; and
- 23 (3) a managed care organization that has contracted with the
- 24 office.
- 25 SECTION 13. IC 16-19-18 IS ADDED AS A NEW CHAPTER TO
- 26 READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:
- 27 **Chapter 18. Health Professions Licensing Agency**
- 28 **Sec. 1. As used in this chapter, "agency" refers to the health**
- 29 **professions licensing agency established by section 2 of this**
- 30 **chapter.**
- 31 **Sec. 2. The health professions licensing agency is established as**
- 32 **a division of the state department.**
- 33 **Sec. 3. (a) The state health commissioner shall appoint the**
- 34 **director of the agency.**
- 35 **(b) The director serves at the pleasure of the state health**
- 36 **commissioner.**
- 37 SECTION 14. IC 20-20-38-5, AS AMENDED BY P.L.230-2017,
- 38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2019]: Sec. 5. (a) The state board shall do the following:
- 40 (1) Prepare biennially a plan for implementing career and
- 41 technical education.
- 42 (2) Implement, to the best of its ability, the career and technical



- 1 education plan prepared under subdivision (1).
- 2 (3) Investigate the funding of career and technical education on
- 3 a cost basis.
- 4 (4) Establish and monitor the operation of secondary level career
- 5 and technical education in Indiana in accordance with the
- 6 comprehensive long range state plan developed under section 4
- 7 of this chapter.
- 8 (5) In consultation with the ~~Indiana professional workforce~~
- 9 licensing agency, adopt rules concerning secondary level career
- 10 and technical education programs, courses, and classes in the
- 11 areas of cosmetology, electrology, esthetics, barbering, and
- 12 manicuring.
- 13 (6) To comply with this section and any federal law or regulation:
- 14 (A) adopt rules under IC 4-22-2; and
- 15 (B) develop policies and administrative procedures.
- 16 (b) The state board shall use data from the department of workforce
- 17 development to carry out the state board's duties under this section.
- 18 SECTION 15. IC 22-4.1-2-2, AS AMENDED BY P.L.152-2018,
- 19 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2019]: Sec. 2. ~~The department includes~~ (a) **The following are**
- 21 **established within the department:**
- 22 (1) **The unemployment insurance review board.**
- 23 (2) **The workforce licensing agency.**
- 24 (b) **Subject to IC 25-1-6-5, the commissioner shall appoint the**
- 25 **director of the workforce licensing agency.**
- 26 SECTION 16. IC 23-1.5-1-5, AS AMENDED BY P.L.1-2006,
- 27 SECTION 406, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2019]: Sec. 5. "Bureau" means the following:
- 29 (1) In the case of:
- 30 (A) an accounting professional;
- 31 (B) an architectural professional;
- 32 (C) an engineering professional; **or**
- 33 ~~(D) a health care professional;~~
- 34 ~~(E) (D) a real estate professional; or~~
- 35 **the workforce licensing agency established by IC 22-4.1-2-2.**
- 36 (2) **In the case of:**
- 37 (A) **a health care professional; or**
- 38 ~~(F) (B) a veterinarian;~~
- 39 ~~the Indiana professional health professions~~ licensing agency
- 40 ~~established by IC 25-1-5-3. IC 16-19-18-2.~~
- 41 ~~(F) (3) In the case of an attorney, the state board of law examiners.~~
- 42 SECTION 17. IC 25-0.5-5-1, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 1. This chapter sets forth the entities for which the
3 **Indiana professional health professions** licensing agency performs
4 administrative functions, duties, and responsibilities under
5 IC 25-1-5-3(a).

6 SECTION 18. IC 25-0.5-5-2, AS ADDED BY P.L.3-2014,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 2. The **Indiana professional health professions**
9 licensing agency shall perform administrative functions, duties, and
10 responsibilities for the board of chiropractic examiners (IC 25-10-1)
11 under IC 25-1-5-3(a).

12 SECTION 19. IC 25-0.5-5-3, AS ADDED BY P.L.3-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 3. The **Indiana professional health professions**
15 licensing agency shall perform administrative functions, duties, and
16 responsibilities for the state board of dentistry (IC 25-14-1) under
17 IC 25-1-5-3(a).

18 SECTION 20. IC 25-0.5-5-4, AS ADDED BY P.L.3-2014,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 4. The **Indiana professional health professions**
21 licensing agency shall perform administrative functions, duties, and
22 responsibilities for the Indiana state board of health facility
23 administrators (IC 25-19-1) under IC 25-1-5-3(a).

24 SECTION 21. IC 25-0.5-5-5, AS ADDED BY P.L.3-2014,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 5. The **Indiana professional health professions**
27 licensing agency shall perform administrative functions, duties, and
28 responsibilities for the medical licensing board of Indiana
29 (IC 25-22.5-2) under IC 25-1-5-3(a).

30 SECTION 22. IC 25-0.5-5-6, AS ADDED BY P.L.3-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 6. The **Indiana professional health professions**
33 licensing agency shall perform administrative functions, duties, and
34 responsibilities for the Indiana state board of nursing (IC 25-23-1)
35 under IC 25-1-5-3(a).

36 SECTION 23. IC 25-0.5-5-7, AS ADDED BY P.L.3-2014,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 7. The **Indiana professional health professions**
39 licensing agency shall perform administrative functions, duties, and
40 responsibilities for the Indiana optometry board (IC 25-24) under
41 IC 25-1-5-3(a).

42 SECTION 24. IC 25-0.5-5-8, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 8. The ~~Indiana professional health professions~~
3 licensing agency shall perform administrative functions, duties, and
4 responsibilities for the Indiana board of pharmacy (IC 25-26) under
5 IC 25-1-5-3(a).

6 SECTION 25. IC 25-0.5-5-9, AS ADDED BY P.L.3-2014,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 9. The ~~Indiana professional health professions~~
9 licensing agency shall perform administrative functions, duties, and
10 responsibilities for the board of podiatric medicine (IC 25-29-2-1)
11 under IC 25-1-5-3(a).

12 SECTION 26. IC 25-0.5-5-10, AS ADDED BY P.L.3-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 10. The ~~Indiana professional health professions~~
15 licensing agency shall perform administrative functions, duties, and
16 responsibilities for the speech-language pathology and audiology board
17 (IC 25-35.6-2) under IC 25-1-5-3(a).

18 SECTION 27. IC 25-0.5-5-11, AS ADDED BY P.L.3-2014,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 11. The ~~Indiana professional health professions~~
21 licensing agency shall perform administrative functions, duties, and
22 responsibilities for the state psychology board (IC 25-33) under
23 IC 25-1-5-3(a).

24 SECTION 28. IC 25-0.5-5-12, AS ADDED BY P.L.3-2014,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 12. The ~~Indiana professional health professions~~
27 licensing agency shall perform administrative functions, duties, and
28 responsibilities for the Indiana board of veterinary medical examiners
29 (IC 25-38.1-2) under IC 25-1-5-3(a).

30 SECTION 29. IC 25-0.5-5-13, AS ADDED BY P.L.3-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 13. The ~~Indiana professional health professions~~
33 licensing agency shall perform administrative functions, duties, and
34 responsibilities for the committee of hearing aid dealer examiners
35 (IC 25-20) under IC 25-1-5-3(a).

36 SECTION 30. IC 25-0.5-5-14, AS ADDED BY P.L.3-2014,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 14. The ~~Indiana professional health professions~~
39 licensing agency shall perform administrative functions, duties, and
40 responsibilities for the Indiana physical therapy committee (IC 25-27)
41 under IC 25-1-5-3(a).

42 SECTION 31. IC 25-0.5-5-15, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 15. The ~~Indiana professional health professions~~
3 licensing agency shall perform administrative functions, duties, and
4 responsibilities for the respiratory care committee (IC 25-34.5) under
5 IC 25-1-5-3(a).

6 SECTION 32. IC 25-0.5-5-16, AS ADDED BY P.L.3-2014,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 16. The ~~Indiana professional health professions~~
9 licensing agency shall perform administrative functions, duties, and
10 responsibilities for the occupational therapy committee (IC 25-23.5)
11 under IC 25-1-5-3(a).

12 SECTION 33. IC 25-0.5-5-17, AS ADDED BY P.L.3-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 17. The ~~Indiana professional health professions~~
15 licensing agency shall perform administrative functions, duties, and
16 responsibilities for the behavioral health and human services licensing
17 board (IC 25-23.6) under IC 25-1-5-3(a).

18 SECTION 34. IC 25-0.5-5-18, AS ADDED BY P.L.3-2014,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 18. The ~~Indiana professional health professions~~
21 licensing agency shall perform administrative functions, duties, and
22 responsibilities for the physician assistant committee (IC 25-27.5)
23 under IC 25-1-5-3(a).

24 SECTION 35. IC 25-0.5-5-19, AS ADDED BY P.L.3-2014,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 19. The ~~Indiana professional health professions~~
27 licensing agency shall perform administrative functions, duties, and
28 responsibilities for the Indiana athletic trainers board (IC 25-5.1-2-1)
29 under IC 25-1-5-3(a).

30 SECTION 36. IC 25-0.5-5-20, AS ADDED BY P.L.3-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 20. The ~~Indiana professional health professions~~
33 licensing agency shall perform administrative functions, duties, and
34 responsibilities for the Indiana dietitians certification board
35 (IC 25-14.5-2-1) under IC 25-1-5-3(a).

36 SECTION 37. IC 25-0.5-5-21, AS ADDED BY P.L.3-2014,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 21. The ~~Indiana professional health professions~~
39 licensing agency shall perform administrative functions, duties, and
40 responsibilities for the midwifery committee (IC 25-23.4-2-1) under
41 IC 25-1-5-3(a).

42 SECTION 38. IC 25-0.5-7-1, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 1. This chapter sets forth the entities for which the
3 **Indiana professional workforce** licensing agency performs
4 administrative functions, duties, and responsibilities under
5 IC 25-1-6-3(a).

6 SECTION 39. IC 25-0.5-7-2, AS ADDED BY P.L.3-2014,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 2. The **Indiana professional workforce** licensing
9 agency shall perform administrative functions, duties, and
10 responsibilities for the Indiana board of accountancy (IC 25-2.1-2-1)
11 under IC 25-1-6-3(a).

12 SECTION 40. IC 25-0.5-7-3, AS ADDED BY P.L.3-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 3. The **Indiana professional workforce** licensing
15 agency shall perform administrative functions, duties, and
16 responsibilities for the board of registration for architects and
17 landscape architects (IC 25-4-1-2) under IC 25-1-6-3(a).

18 SECTION 41. IC 25-0.5-7-4, AS ADDED BY P.L.3-2014,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 4. The **Indiana professional workforce** licensing
21 agency shall perform administrative functions, duties, and
22 responsibilities for the Indiana auctioneer commission (IC 25-6.1-2-1)
23 under IC 25-1-6-3(a).

24 SECTION 42. IC 25-0.5-7-5, AS ADDED BY P.L.3-2014,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 5. The **Indiana professional workforce** licensing
27 agency shall perform administrative functions, duties, and
28 responsibilities for the state board of cosmetology and barber
29 examiners (IC 25-8-3-1) under IC 25-1-6-3(a).

30 SECTION 43. IC 25-0.5-7-6, AS ADDED BY P.L.3-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 6. The **Indiana professional workforce** licensing
33 agency shall perform administrative functions, duties, and
34 responsibilities for the state board of funeral and cemetery service
35 (IC 25-15-9) under IC 25-1-6-3(a).

36 SECTION 44. IC 25-0.5-7-7, AS ADDED BY P.L.3-2014,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 7. The **Indiana professional workforce** licensing
39 agency shall perform administrative functions, duties, and
40 responsibilities for the state board of registration for professional
41 engineers (IC 25-31-1-3) under IC 25-1-6-3(a).

42 SECTION 45. IC 25-0.5-7-8, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 8. The ~~Indiana professional workforce~~ licensing
3 agency shall perform administrative functions, duties, and
4 responsibilities for the Indiana plumbing commission (IC 25-28.5-1-3)
5 under IC 25-1-6-3(a).

6 SECTION 46. IC 25-0.5-7-9, AS ADDED BY P.L.3-2014,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 9. The ~~Indiana professional workforce~~ licensing
9 agency shall perform administrative functions, duties, and
10 responsibilities for the Indiana real estate commission (IC 25-34.1)
11 under IC 25-1-6-3(a).

12 SECTION 47. IC 25-0.5-7-10, AS ADDED BY P.L.3-2014,
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 10. The ~~Indiana professional workforce~~ licensing
15 agency shall perform administrative functions, duties, and
16 responsibilities for the real estate appraiser licensure and certification
17 board (IC 25-34.1-8-1) under IC 25-1-6-3(a).

18 SECTION 48. IC 25-0.5-7-11, AS ADDED BY P.L.3-2014,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2019]: Sec. 11. The ~~Indiana professional workforce~~ licensing
21 agency shall perform administrative functions, duties, and
22 responsibilities for the private investigator and security guard licensing
23 board (IC 25-30-1-5.2) under IC 25-1-6-3(a).

24 SECTION 49. IC 25-0.5-7-12, AS ADDED BY P.L.3-2014,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 12. The ~~Indiana professional workforce~~ licensing
27 agency shall perform administrative functions, duties, and
28 responsibilities for the state board of registration for professional
29 surveyors (IC 25-21.5-2-1) under IC 25-1-6-3(a).

30 SECTION 50. IC 25-0.5-7-13, AS ADDED BY P.L.3-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 13. The ~~Indiana professional workforce~~ licensing
33 agency shall perform administrative functions, duties, and
34 responsibilities for the manufactured home installer licensing board
35 (IC 25-23.7) under IC 25-1-6-3(a).

36 SECTION 51. IC 25-0.5-7-14, AS ADDED BY P.L.3-2014,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 14. The ~~Indiana professional workforce~~ licensing
39 agency shall perform administrative functions, duties, and
40 responsibilities for the home inspectors licensing board
41 (IC 25-20.2-3-1) under IC 25-1-6-3(a).

42 SECTION 52. IC 25-0.5-7-15, AS ADDED BY P.L.3-2014,



1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 15. The ~~Indiana professional workforce~~ licensing
3 agency shall perform administrative functions, duties, and
4 responsibilities for the state board of massage therapy (IC 25-21.8-2-1)
5 under IC 25-1-6-3(a).

6 SECTION 53. IC 25-1-1.1-4, AS AMENDED BY P.L.3-2014,
7 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 4. (a) This section applies to an individual who is
9 applying for, or will be applying for, an initial license or an initial
10 certificate under one (1) of the occupations or professions described in
11 IC 25-0.5-1.

12 (b) As used in this chapter, "national criminal history background
13 check" means the criminal history record system maintained by the
14 Federal Bureau of Investigation based on fingerprint identification or
15 any other method of positive identification.

16 (c) An individual applying for an initial license or initial certificate
17 specified in subsection (a) shall submit to a national criminal history
18 background check at the cost of the individual.

19 (d) The state police department shall release the results of a national
20 criminal history background check conducted under this section to the
21 ~~Indiana professional health professions~~ licensing agency.

22 (e) A board, a commission, or a committee may conduct a random
23 audit and require an individual seeking a renewal of a license or a
24 certificate specified in subsection (a) to submit to a national criminal
25 history background check at the cost of the individual.

26 SECTION 54. IC 25-1-1.1-5, AS ADDED BY P.L.155-2011,
27 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2019]: Sec. 5. (a) As used in this section, "licensee" refers to
29 an individual who is licensed or certified in a profession set forth in
30 section 4 of this chapter.

31 (b) As used in this section, "personal information" means
32 information that identifies an individual, including the following:

- 33 (1) Photograph.
- 34 (2) Social Security number.
- 35 (3) Driver's license number or identification card number.
- 36 (4) Name.
- 37 (5) Address.
- 38 (6) Telephone number.
- 39 (7) Fingerprints.

40 (c) The state police department and the ~~Indiana professional health~~
41 **professions** licensing agency shall enter into a memorandum of
42 understanding to provide data exchange and data matching regarding



1 licensees who are charged with or convicted of an offense.

2 (d) Personal information data exchanged under subsection (c) shall
3 be kept confidential and may be used only for the purposes of a
4 government agency, including the following:

5 (1) A prosecuting attorney.

6 (2) The ~~Indiana professional health professions~~ licensing agency
7 or a board, committee, or commission administered by the ~~Indiana~~
8 **professional health professions** licensing agency.

9 (3) A court.

10 (4) A law enforcement agency.

11 (5) The office of the attorney general.

12 SECTION 55. IC 25-1-2-10, AS ADDED BY P.L.121-2018,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 10. (a) As used in this section, "board" means any
15 of the following boards:

16 (1) The medical licensing board of Indiana.

17 (2) The Indiana state board of nursing.

18 (3) The state board of dentistry.

19 (4) The behavioral health and human services licensing board.

20 (5) The state psychology board.

21 (6) The Indiana board of pharmacy.

22 (b) As used in this section, "license" means:

23 (1) an unlimited license, certificate, or registration;

24 (2) a limited or probationary license, certificate, or registration;

25 (3) a temporary license, certificate, registration, or permit;

26 (4) an intern permit; or

27 (5) a provisional license;

28 issued by the board regulating the profession in question.

29 (c) As used in this section, "practitioner" means an individual who
30 holds a license under any of the following:

31 (1) IC 25-14-1.

32 (2) IC 25-22.5-5.

33 (3) IC 25-23.

34 (4) IC 25-23.6.

35 (5) IC 25-26.

36 (6) IC 25-27.5.

37 (7) IC 25-33.

38 (d) To allow for programmatic and policy recommendations to
39 improve workforce performance, address identified workforce
40 shortages, and retain practitioners, beginning January 1, 2019, every
41 practitioner who is renewing online a license issued by a board must
42 include the following information related to the practitioner's work in



- 1 Indiana under the practitioner's license during the previous two (2)
 2 years:
- 3 (1) The practitioner's specialty or field of practice.
 - 4 (2) The following concerning the practitioner's current practice:
 - 5 (A) The location or address.
 - 6 (B) The setting type.
 - 7 (C) The average hours worked weekly.
 - 8 (D) The health care services provided.
 - 9 (3) The practitioner's education background and training.
 - 10 (4) For a practitioner that is a prescriber (as defined in
 11 IC 25-1-9.5-4), whether the practitioner delivers health care
 12 services through telemedicine (as defined in IC 25-1-9.5-6).
 - 13 (e) The ~~Indiana professional health professions~~ licensing agency
 14 shall do the following:
 - 15 (1) Include notification with a practitioner's license renewal notice
 16 that the practitioner must submit the information required under
 17 subsection (d) if the practitioner renews the license online.
 - 18 (2) Compile the information collected under this section into an
 19 annual report. The report may not contain any personal
 20 identifying information and the report must be compliant with the
 21 federal Health Insurance Portability and Accountability Act
 22 (HIPAA).
 - 23 (3) Post the annual report compiled under this subsection on the
 24 **health professions licensing** agency's Internet web site.
 - 25 (4) Submit the annual report compiled under this subsection to the
 26 following:
 - 27 (A) The office of Medicaid policy and planning.
 - 28 (B) The department of workforce development.
 - 29 (C) The commission on improving the status of children in
 30 Indiana (IC 2-5-36).
 - 31 (D) The legislative council in an electronic format under
 32 IC 5-14-6.
 - 33 (E) The office of the attorney general.
- 34 SECTION 56. IC 25-1-4-3.2, AS AMENDED BY P.L.168-2016,
 35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 3.2. (a) A board or agency regulating a profession
 37 or occupation under this title or under IC 16 or IC 22 shall require that
 38 at least one-half (1/2) of all continuing education requirements must be
 39 allowed by distance learning methods, except for doctors, nurses,
 40 chiropractors, optometrists, and dentists.
- 41 (b) An individual who is called to active duty (as defined by
 42 IC 25-1-12-2) must be allowed to fulfill all continuing education



1 requirements for professional or occupational licenses administered
 2 through the ~~Indiana professional health professions~~ licensing agency
 3 **or the workforce licensing agency** by distance learning methods.

4 SECTION 57. IC 25-1-5-1, AS AMENDED BY P.L.206-2005,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 1. The centralization of staff, functions, and
 7 services contemplated by this chapter shall be done in such a way as to
 8 enhance the ~~Indiana professional health professions~~ licensing agency's
 9 ability to:

- 10 (1) make maximum use of data processing as a means of more
 11 efficient operation; and
 12 (2) provide more services and carry out functions of superior
 13 quality.

14 SECTION 58. IC 25-1-5-2, AS AMENDED BY P.L.3-2014,
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2019]: Sec. 2. The following ~~terms are defined for definitions~~
 17 **apply throughout** this chapter:

- 18 (1) "Agency" means the ~~Indiana professional health professions~~
 19 licensing agency established by ~~section 3 of this chapter.~~
 20 **IC 16-19-18-2.**
 21 (2) "Board" means any agency, board, advisory committee, or
 22 group described in IC 25-0.5-5.

23 SECTION 59. IC 25-1-5-3, AS AMENDED BY P.L.3-2014,
 24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2019]: Sec. 3. (a) ~~There is established the Indiana professional~~
 26 ~~licensing agency.~~ The agency shall perform all administrative
 27 functions, duties, and responsibilities assigned by law or rule to the
 28 **director**, executive director, secretary, or other statutory administrator
 29 of the entities described in IC 25-0.5-5.

30 (b) Nothing in this chapter may be construed to give the agency
 31 policy making authority, which authority remains with each board.

32 SECTION 60. IC 25-1-5-3.3 IS REPEALED [EFFECTIVE JULY
 33 1, 2019]. ~~Sec. 3.3: (a) The rules adopted by the health professions~~
 34 ~~bureau before July 1, 2005; and in effect on June 30, 2005; shall be~~
 35 ~~treated after June 30, 2005; as the rules of the agency.~~

36 (b) ~~On July 1, 2005; the agency becomes the owner of all the~~
 37 ~~property of the health professions bureau. An appropriation made to the~~
 38 ~~health professions bureau shall be treated after June 30, 2005; as an~~
 39 ~~appropriation to the agency.~~

40 (c) ~~Any reference in a law, a rule, a license, a registration, a~~
 41 ~~certification; or an agreement to the health professions bureau shall be~~
 42 ~~treated after June 30, 2005; as a reference to the agency.~~



1 SECTION 61. IC 25-1-5-4, AS AMENDED BY P.L.78-2017,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 4. (a) The agency shall employ necessary staff,
 4 including specialists and professionals, to carry out the administrative
 5 duties and functions of the boards, including: **but not limited to:**

- 6 (1) notice of board meetings and other communication services;
- 7 (2) recordkeeping of board meetings, proceedings, and actions;
- 8 (3) recordkeeping of all persons licensed, regulated, or certified
 9 by a board;
- 10 (4) administration of examinations; and
- 11 (5) administration of license or certificate issuance or renewal.

12 (b) In addition, the agency:

- 13 (1) shall prepare a consolidated statement of the budget requests
 14 of all the boards described in IC 25-0.5-5;
- 15 (2) may coordinate licensing or certification renewal cycles,
 16 examination schedules, or other routine activities to efficiently
 17 utilize agency staff, facilities, and transportation resources, and to
 18 improve accessibility of board functions to the public; **and**
- 19 (3) may consolidate, where feasible, office space, recordkeeping,
 20 and data processing services. **and**
- 21 ~~(4) shall operate and maintain the electronic registry of~~
 22 ~~professions established under IC 25-1-5.5.~~

23 (c) In administering the renewal of licenses or certificates under this
 24 chapter, the agency shall send a notice of the upcoming expiration of
 25 a license or certificate to each holder of a license or certificate at least
 26 ninety (90) days before the expiration of the license or certificate. The
 27 notice must inform the holder of the license or certificate of the need
 28 to renew and the requirement of payment of the renewal fee. If this
 29 notice of expiration is not sent by the agency, the holder of the license
 30 or certificate is not subject to a sanction for failure to renew if, once
 31 notice is received from the agency, the license or certificate is renewed
 32 within forty-five (45) days after receipt of the notice.

33 (d) In administering an examination for licensure or certification,
 34 the agency shall make the appropriate application forms available at
 35 least thirty (30) days before the deadline for submitting an application
 36 to all persons wishing to take the examination.

37 (e) The agency may require an applicant for license renewal to
 38 submit evidence proving that:

- 39 (1) the applicant continues to meet the minimum requirements for
 40 licensure; and
- 41 (2) the applicant is not in violation of:
 42 (A) the statute regulating the applicant's profession; or



- 1 (B) rules adopted by the board regulating the applicant's
2 profession.
- 3 (f) The agency shall process an application for renewal of a license
4 or certificate:
- 5 (1) not later than ten (10) days after the agency receives all
6 required forms and evidence; or
7 (2) within twenty-four (24) hours after the time that an applicant
8 for renewal appears in person at the agency with all required
9 forms and evidence.
- 10 This subsection does not require the agency to issue a renewal license
11 or certificate to an applicant if subsection (g) applies.
- 12 (g) The agency may delay issuing a license renewal for up to one
13 hundred twenty (120) days after the renewal date for the purpose of
14 permitting the board to investigate information received by the agency
15 that the applicant for renewal may have committed an act for which the
16 applicant may be disciplined. If the agency delays issuing a license
17 renewal, the agency shall notify the applicant that the applicant is being
18 investigated. Except as provided in subsection (h), before the end of the
19 one hundred twenty (120) day period, the board shall do one (1) of the
20 following:
- 21 (1) Deny the license renewal following a personal appearance by
22 the applicant before the board.
23 (2) Issue the license renewal upon satisfaction of all other
24 conditions for renewal.
25 (3) Issue the license renewal and file a complaint under IC 25-1-7.
26 (4) Upon agreement of the applicant and the board and following
27 a personal appearance by the applicant before the board, renew
28 the license and place the applicant on probation status under
29 IC 25-1-9-9.
- 30 (h) If an individual fails to appear before the board under subsection
31 (g), the board may take action on the applicant's license allowed under
32 subsection (g)(1), (g)(2), or (g)(3).
- 33 (i) The applicant's license remains valid until the final determination
34 of the board is rendered unless the renewal is denied or the license is
35 summarily suspended under IC 25-1-9-10.
- 36 (j) The license of the applicant for a license renewal remains valid
37 during the one hundred twenty (120) day period unless the license
38 renewal is denied following a personal appearance by the applicant
39 before the board before the end of the one hundred twenty (120) day
40 period. If the one hundred twenty (120) day period expires without
41 action by the board, the license shall be automatically renewed at the
42 end of the one hundred twenty (120) day period.



1 (k) The board's renewal of a license does not preclude the board
2 from imposing sanctions on the licensee as a result of a complaint filed
3 by the attorney general after renewal of the license.

4 (l) Notwithstanding any other statute, the agency may stagger
5 license or certificate renewal cycles. However, if a renewal cycle for a
6 specific board or committee is changed, the agency must obtain the
7 approval of the affected board or committee.

8 (m) An application for a license, certificate, registration, or permit
9 is abandoned without an action of the board, if the applicant does not
10 complete the requirements to complete the application within one (1)
11 year after the date on which the application was filed. However, the
12 board may, for good cause shown, extend the validity of the application
13 for additional thirty (30) day periods. An application submitted after
14 the abandonment of an application is considered a new application.

15 SECTION 62. IC 25-1-5-5, AS AMENDED BY P.L.3-2014,
16 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2019]: Sec. 5. (a) The agency shall be administered by an
18 ~~executive a~~ director appointed by the ~~governor who shall serve at the~~
19 ~~will and pleasure of the governor:~~ **state health commissioner under**
20 **IC 16-19-18.**

21 (b) The ~~executive~~ director must be qualified by experience and
22 training.

23 (c) The term "**director**", "executive director" or "secretary", or any
24 other statutory term for the administrative officer of a board described
25 in IC 25-0.5-5, means the ~~executive~~ director of the agency or the
26 ~~executive~~ director's designee.

27 (d) The ~~executive~~ director is the chief fiscal officer of the agency
28 and is responsible for hiring of all staff. ~~and for procurement of all~~
29 ~~services and supplies in accordance with IC 5-22.~~ The ~~executive~~
30 ~~director~~ **state health commissioner** may appoint ~~not more than three~~
31 ~~(3)~~ deputy directors, who must be qualified to work for the boards
32 which are served by the agency.

33 (e) ~~The executive director shall execute a bond payable to the state;~~
34 ~~with surety to consist of a surety or guaranty corporation qualified to do~~
35 ~~business in Indiana; in an amount fixed by the state board of accounts;~~
36 ~~conditioned upon the faithful performance of duties and the accounting~~
37 ~~for all money and property that come into the executive director's hands~~
38 ~~or under the executive director's control. The executive director may~~
39 ~~likewise cause any employee of the agency to execute a bond if that~~
40 ~~employee receives; disburses; or in any way handles funds or property~~
41 ~~of the agency. The costs of any such bonds shall be paid from funds~~
42 ~~available to the agency.~~



1 ~~(f)~~ (e) The ~~executive~~ director may present to the general assembly
2 legislative recommendations regarding operations of the agency and
3 the boards it serves, including adoption of four (4) year license or
4 certificate renewal cycles wherever feasible.

5 ~~(g)~~ (f) The ~~executive~~ director may execute orders, subpoenas,
6 continuances, and other legal documents on behalf of a board or
7 committee when requested to do so by the board or committee.

8 ~~(h)~~ (g) The ~~executive~~ director or the ~~executive~~ director's designee
9 may, upon request of a board or committee, provide advice and
10 technical assistance on issues that may be presented to the boards or
11 committees.

12 SECTION 63. IC 25-1-5-6, AS AMENDED BY P.L.206-2005,
13 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]: Sec. 6. (a) The ~~executive~~ director may designate
15 certain employees of the agency to represent the ~~executive~~ director of
16 the agency at the board meetings, proceedings, or other activities of the
17 board.

18 (b) The ~~executive~~ director shall assign staff to individual boards and
19 shall work with the boards to ensure efficient utilization and placement
20 of staff.

21 SECTION 64. IC 25-1-5-8.1 IS ADDED TO THE INDIANA CODE
22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
23 1, 2019]: **Sec. 8.1. (a) The agency and the boards shall allow the
24 department of state revenue, the alcohol and tobacco commission,
25 and the bureau of motor vehicles access to the name of each person
26 who:**

27 **(1) is licensed under this chapter; or**

28 **(2) has applied for a license under this chapter.**

29 **(b) If the department of state revenue notifies the agency that a
30 person is on the most recent tax warrant list, the agency shall not
31 issue or renew the person's license until:**

32 **(1) the person provides to the agency a statement from the
33 department of state revenue indicating that the person's tax
34 warrant has been satisfied; or**

35 **(2) the agency receives a notice from the commissioner of the
36 department of state revenue under IC 6-8.1-8-2(k).**

37 **(c) If the alcohol and tobacco commission notifies the agency
38 that a person has an outstanding balance due to the alcohol and
39 tobacco commission, the agency shall not issue or renew the
40 person's license until the person provides to the agency a statement
41 from the alcohol and tobacco commission indicating that the
42 person's outstanding balance has been satisfied.**



1 (d) If the bureau of motor vehicles notifies the agency that a
 2 person has an outstanding balance due to the bureau of motor
 3 vehicles because a check, draft, or order issued or delivered by the
 4 person to the bureau of motor vehicles was returned or dishonored
 5 because of insufficient funds, the agency shall not issue or renew
 6 the person's license until the person provides to the agency a
 7 statement from the bureau of motor vehicles indicating that the
 8 person's outstanding balance has been satisfied.

9 SECTION 65. IC 25-1-5-12 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2019]: Sec. 12. (a) The rules:

12 (1) adopted by the Indiana professional licensing agency
 13 before July 1, 2019;

14 (2) in effect on June 30, 2019; and

15 (3) concerning an administrative function, duty, or
 16 responsibility of the agency concerning an entity described in
 17 IC 25-0.5-5;

18 shall be treated after June 30, 2019, as the rules of the agency.

19 (b) On July 1, 2019, the agency becomes the owner of all the
 20 property of the Indiana professional licensing agency that is
 21 related to the administration of an entity described in IC 25-0.5-5.
 22 An appropriation made to the Indiana professional licensing
 23 agency that is related to the administration of an entity described
 24 in IC 25-0.5-5 shall be treated after June 30, 2019, as an
 25 appropriation to the agency.

26 (c) Any reference in a law, a rule, a license, a registration, a
 27 certification, or an agreement to the Indiana professional licensing
 28 agency concerning an entity described in IC 25-0.5-5 shall be
 29 treated after June 30, 2019, as a reference to the agency.

30 (d) On July 1, 2019, any employee of the Indiana professional
 31 licensing agency who has a primary duty related to the
 32 administration of an entity described in IC 25-0.5-5 is an employee
 33 of the agency.

34 (e) The agency and the workforce licensing agency shall enter
 35 into a memorandum of understanding to resolve any issues
 36 concerning the transition of responsibilities from the Indiana
 37 professional licensing agency to the agency and the workforce
 38 licensing agency. The memorandum of understanding must resolve
 39 any issue related to assignment of personnel and the division of
 40 property.

41 (f) The agency and the workforce licensing agency may enter
 42 into a memorandum of understanding to jointly operate and



1 **maintain the electronic registry of professionals (established in**
 2 **IC 25-1-5.5) or to efficiently administer any joint function, duty, or**
 3 **responsibility of the agency and the workforce licensing agency.**

4 SECTION 66. IC 25-1-5.5-2, AS AMENDED BY P.L.130-2018,
 5 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 2. As used in the chapter:

7 (1) "Applicant" refers to a person who applies for a registration in
 8 the electronic registry of professions.

9 (2) ~~"Executive~~ "Director" refers to the ~~executive~~ director of the
 10 licensing agency appointed under IC 25-1-5-5.

11 (3) "Licensing agency" means the ~~Indiana professional workforce~~
 12 licensing agency created by ~~IC 25-1-5-3~~. **IC 22-4.1-2-2.**

13 (4) "Registrant" means an individual who is registered in the
 14 electronic registry of professions as:

15 (A) an individual state registered under IC 25-1-18 (before its
 16 repeal); or

17 (B) an interior designer under IC 25-20.7.

18 (5) "Registry" refers to the electronic registry of professions
 19 established by section 1 of this chapter.

20 SECTION 67. IC 25-1-6-2, AS AMENDED BY P.L.3-2014,
 21 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2019]: Sec. 2. The following terms are defined for this
 23 chapter:

24 (1) "Board" means any agency, board, advisory committee, or
 25 group described in IC 25-0.5-7.

26 (2) "Licensing agency" means the ~~Indiana professional workforce~~
 27 licensing agency ~~created by IC 25-1-5-3~~. **established by**
 28 **IC 22-4.1-2-2.**

29 SECTION 68. IC 25-1-6-3, AS AMENDED BY P.L.3-2014,
 30 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 3. (a) The licensing agency shall perform all
 32 administrative functions, duties, and responsibilities assigned by law
 33 or rule to the **director**, executive director, secretary, or other statutory
 34 administrator of the entities described in IC 25-0.5-7.

35 (b) Nothing in this chapter may be construed to give the licensing
 36 agency policy making authority, which remains with each board.

37 SECTION 69. IC 25-1-6-4, AS AMENDED BY P.L.78-2017,
 38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2019]: Sec. 4. (a) The licensing agency shall employ
 40 necessary staff, including specialists and professionals, to carry out the
 41 administrative duties and functions of the boards, including: ~~but not~~
 42 ~~limited to:~~



- 1 (1) notice of board meetings and other communication services;
 2 (2) record keeping of board meetings, proceedings, and actions;
 3 (3) record keeping of all persons or individuals licensed,
 4 regulated, or certified by a board;
 5 (4) administration of examinations; and
 6 (5) administration of license or certificate issuance or renewal.
- 7 (b) In addition, the licensing agency:
 8 (1) shall prepare a consolidated statement of the budget requests
 9 of all the boards described in IC 25-0.5-7;
 10 (2) may coordinate licensing or certification renewal cycles,
 11 examination schedules, or other routine activities to efficiently
 12 ~~utilize~~ **use** licensing agency staff, facilities, and transportation
 13 resources, and to improve accessibility of board functions to the
 14 public; ~~and~~
 15 (3) may consolidate, where feasible, office space, record keeping,
 16 and data processing services; **and**
 17 **(4) shall operate and maintain the electronic registry of**
 18 **professions established under IC 25-1-5.5.**
- 19 (c) In administering the renewal of licenses or certificates under this
 20 chapter, the licensing agency shall issue a ninety (90) day notice of
 21 expiration to all holders of a license or certificate. The notice must
 22 inform the holder of a license or certificate of the requirements to:
 23 (1) renew the license or certificate; and
 24 (2) pay the renewal fee.
- 25 (d) If the licensing agency fails to send notice of expiration under
 26 subsection (c), the holder of the license or certificate is not subject to
 27 a sanction for failure to renew if the holder renews the license or
 28 certificate not more than forty-five (45) days after the holder receives
 29 the notice from the licensing agency.
- 30 (e) The licensing agency may require an applicant for a license or
 31 certificate renewal to submit evidence showing that the applicant:
 32 (1) meets the minimum requirements for licensure or
 33 certification; and
 34 (2) is not in violation of:
 35 (A) the law regulating the applicant's profession; or
 36 (B) rules adopted by the board regulating the applicant's
 37 profession.
- 38 (f) The licensing agency may delay renewing a license or certificate
 39 for not more than one hundred twenty (120) days after the renewal date
 40 to permit the board to investigate information received by the licensing
 41 agency that the applicant for renewal may have committed an act for
 42 which the applicant may be disciplined. If the licensing agency delays



1 renewing a license or certificate, the licensing agency shall notify the
 2 applicant that the applicant is being investigated. Except as provided
 3 in subsection (g), the board shall do one (1) of the following before the
 4 expiration of the one hundred twenty (120) day period:

5 (1) Deny renewal of the license or certificate following a personal
 6 appearance by the applicant before the board.

7 (2) Renew the license or certificate upon satisfaction of all other
 8 requirements for renewal.

9 (3) Renew the license and file a complaint under IC 25-1-7.

10 (4) Upon agreement of the applicant and the board and following
 11 a personal appearance by the applicant before the board, renew
 12 the license or certificate and place the applicant on probation
 13 status under IC 25-1-11-12.

14 (g) If an applicant fails to appear before the board under subsection
 15 (f), the board may take action as provided in subsection (f)(1), (f)(2),
 16 or (f)(3).

17 (h) The applicant's license or certificate remains valid until the final
 18 determination of the board is rendered unless the renewal is:

19 (1) denied; or

20 (2) summarily suspended under IC 25-1-11-13.

21 (i) The license or certificate of the applicant for license renewal
 22 remains valid during the one hundred twenty (120) day period unless
 23 the license or certificate is denied following a personal appearance by
 24 the applicant before the board before the end of the one hundred twenty
 25 (120) day period. If the one hundred twenty (120) day period expires
 26 without action by the board, the license or certificate shall be
 27 automatically renewed at the end of the one hundred twenty (120) day
 28 period.

29 (j) The board's renewal of a license does not preclude the board
 30 from imposing sanctions on the licensee as a result of a complaint filed
 31 by the attorney general after renewal of the license.

32 (k) Notwithstanding any other law, the licensing agency may stagger
 33 license or certificate renewal cycles.

34 (l) An application for a license or certificate is abandoned without
 35 an action by the board if the applicant does not complete the
 36 requirements for obtaining the license or certificate not more than one
 37 (1) year after the date on which the application was filed. However, the
 38 board may, for good cause shown, extend the validity of the application
 39 for additional thirty (30) day periods. An application submitted after
 40 the abandonment of an application is considered a new application.

41 SECTION 70. IC 25-1-6-5, AS AMENDED BY P.L.3-2014,
 42 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 5. (a) The licensing agency shall be administered
 2 by ~~an executive a~~ director appointed by the ~~governor~~ **commissioner of**
 3 **the department of workforce development.** ~~who~~ **The director** shall
 4 serve at the will and pleasure of the ~~governor.~~ **commissioner.**

5 (b) The ~~executive~~ director must be qualified by experience and
 6 training.

7 (c) The term "**director**", "executive director", or "secretary", or any
 8 other statutory term for the administrative officer of a board described
 9 in IC 25-0.5-7, means the ~~executive~~ director of the licensing agency or
 10 the ~~executive~~ director's designee.

11 (d) The ~~executive~~ director is the chief fiscal officer of the licensing
 12 agency and is responsible for hiring of all staff. ~~and for procurement of~~
 13 ~~all services and supplies in accordance with IC 5-22.~~ The ~~executive~~
 14 ~~director~~ **commissioner of the department of workforce development**
 15 may appoint ~~no more than three (3)~~ deputy directors, who must be
 16 qualified to work for the boards which are served by the licensing
 17 agency.

18 (e) The executive director shall execute a bond payable to the state,
 19 with surety to consist of a surety or guaranty corporation qualified to do
 20 business in Indiana; in an amount fixed by the state board of accounts;
 21 conditioned upon the faithful performance of duties and the accounting
 22 for all money and property that come into the executive director's hands
 23 or under the executive director's control. The executive director may
 24 likewise cause any employee of the licensing agency to execute a bond
 25 if that employee receives, disburses, or in any way handles funds or
 26 property of the licensing agency. The costs of any such bonds shall be
 27 paid from funds available to the licensing agency.

28 (f) (e) The executive director may present to the general assembly
 29 legislative recommendations regarding operations of the licensing
 30 agency and the boards it serves, including adoption of four (4) year
 31 license or certificate renewal cycles wherever feasible.

32 (g) (f) Upon the request of a board or commission, the executive
 33 director may execute orders, subpoenas, continuances, and other legal
 34 documents on behalf of the board or commission.

35 (h) (g) Upon the request of a board or commission, the executive
 36 director may provide advice and technical assistance on issues that may
 37 be presented to the board or commission.

38 SECTION 71. IC 25-1-6-6 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The executive
 40 director shall designate certain employees of the licensing agency to
 41 represent the executive director of the licensing agency at board
 42 meetings, proceedings, or any other activities of a board.



1 (b) The ~~executive~~ director shall assign staff to individual boards and
 2 shall work with the boards to ensure efficient utilization and placement
 3 of staff.

4 SECTION 72. IC 25-1-6-8, AS AMENDED BY P.L.261-2013,
 5 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 8. (a) The licensing agency and the boards shall
 7 allow the department of state revenue, the alcohol and tobacco
 8 commission, and the bureau of motor vehicles access to the name of
 9 each person who:

10 (1) is licensed under this chapter; ~~or IC 25-1-5;~~ or

11 (2) has applied for a license under this chapter. ~~or IC 25-1-5.~~

12 (b) If the department of state revenue notifies the licensing agency
 13 that a person is on the most recent tax warrant list, the licensing agency
 14 shall not issue or renew the person's license until:

15 (1) the person provides to the licensing agency a statement from
 16 the department of state revenue indicating that the person's tax
 17 warrant has been satisfied; or

18 (2) the licensing agency receives a notice from the commissioner
 19 of the department of state revenue under IC 6-8.1-8-2(k).

20 (c) If the alcohol and tobacco commission notifies the licensing
 21 agency that a person has an outstanding balance due to the alcohol and
 22 tobacco commission, the licensing agency shall not issue or renew the
 23 person's license until the person provides to the licensing agency a
 24 statement from the alcohol and tobacco commission indicating that the
 25 person's outstanding balance has been satisfied.

26 (d) If the bureau of motor vehicles notifies the licensing agency that
 27 a person has an outstanding balance due to the bureau of motor
 28 vehicles because a check, draft, or order issued or delivered by the
 29 person to the bureau of motor vehicles was returned or dishonored
 30 because of insufficient funds, the licensing agency shall not issue or
 31 renew the person's license until the person provides to the licensing
 32 agency a statement from the bureau of motor vehicles indicating that
 33 the person's outstanding balance has been satisfied.

34 SECTION 73. IC 25-1-6-11 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 36 1, 2019]: **Sec. 11. (a) The rules:**

37 (1) **adopted by the Indiana professional licensing agency**
 38 **before July 1, 2019;**

39 (2) **in effect on June 30, 2019; and**

40 (3) **concerning an administrative function, duty, or**
 41 **responsibility of the licensing agency concerning an entity**
 42 **described in IC 25-0.5-7;**



1 shall be treated after June 30, 2019, as the rules of the licensing
2 agency.

3 (b) On July 1, 2019, the licensing agency becomes the owner of
4 all the property of the Indiana professional licensing agency that
5 is related to the administration of an entity described in
6 IC 25-0.5-7. An appropriation made to the Indiana professional
7 licensing agency that is related to the administration of an entity
8 described in IC 25-0.5-7 shall be treated after June 30, 2019, as an
9 appropriation to the licensing agency.

10 (c) Any reference in a law, a rule, a license, a registration, a
11 certification, or an agreement to the Indiana professional licensing
12 agency concerning an entity described in IC 25-0.5-7 shall be
13 treated after June 30, 2019, as a reference to the licensing agency.

14 (d) On July 1, 2019, any employee of the Indiana professional
15 licensing agency who has a primary duty related to the
16 administration of an entity described in IC 25-0.5-7 is an employee
17 of the licensing agency.

18 (e) The licensing agency and the health professions licensing
19 agency shall enter into a memorandum of understanding to resolve
20 any issues concerning the transition of responsibilities from the
21 Indiana professional licensing agency to the licensing agency and
22 the health professions licensing agency. The memorandum of
23 understanding must resolve any issue related to assignment of
24 personnel and the division of property.

25 (f) The licensing agency and the health professions licensing
26 agency may enter into a memorandum of understanding to jointly
27 operate and maintain the electronic registry of professionals
28 (established in IC 25-1-5.5) or to efficiently administer any joint
29 function, duty, or responsibility of the licensing agency and the
30 health professions licensing agency.

31 SECTION 74. IC 25-1-7-5, AS AMENDED BY P.L.227-2015,
32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2019]: Sec. 5. (a) Subsection (b)(1) does not apply to:

34 (1) a complaint filed by:

35 (A) a member of any of the entities described in IC 25-0.5-8;

36 or

37 (B) the ~~Indiana professional~~ **health professions** licensing
38 agency; or

39 **(C) the workforce licensing agency; or**

40 (2) a complaint filed under IC 25-1-5-4.

41 (b) Except as provided in section 3(b) or 3(c) of this chapter, the
42 director has the following duties and powers:



1 (1) The director shall make an initial determination as to the merit
 2 of each complaint. A copy of a complaint having merit shall be
 3 submitted to the board having jurisdiction over the licensee's
 4 regulated occupation, that board thereby acquiring jurisdiction
 5 over the matter except as otherwise provided in this chapter.

6 (2) The director shall through any reasonable means notify the
 7 licensee of the nature and ramifications of the complaint and of
 8 the duty of the board to attempt to resolve the complaint through
 9 negotiation.

10 (3) The director shall report any pertinent information regarding
 11 the status of the complaint to the complainant.

12 (4) The director may investigate any written complaint against a
 13 licensee. The investigation shall be limited to those areas in which
 14 there appears to be a violation of statutes governing the regulated
 15 occupation.

16 (5) The director has the power to subpoena witnesses and to send
 17 for and compel the production of books, records, papers, and
 18 documents for the furtherance of any investigation under this
 19 chapter. The circuit or superior court located in the county where
 20 the subpoena is to be issued shall enforce any such subpoena by
 21 the director.

22 SECTION 75. IC 25-1-7-6, AS AMENDED BY P.L.3-2014,
 23 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2019]: Sec. 6. (a) This section does not apply to:

25 (1) a complaint filed by:

26 (A) a member of any of the entities described in IC 25-0.5-8;

27 or

28 (B) the ~~Indiana professional health professions~~ licensing
 29 agency; or

30 **(C) the workforce licensing agency; or**

31 (2) a complaint filed under IC 25-1-5-4.

32 (b) If, at any time before the director files the director's
 33 recommendations with the attorney general, the board files with the
 34 director a statement signed by the licensee and the complainant that the
 35 complaint has been resolved, the director shall not take further action.
 36 For a period of thirty (30) days after the director has notified the board
 37 and the licensee that a complaint has been filed, the division shall not
 38 conduct any investigation or take any action whatsoever, unless
 39 requested by the board. If, during the thirty (30) days, the board
 40 requests an extension of the thirty (30) day period, the director shall
 41 grant it for a period not exceeding an additional twenty (20) days. If at
 42 any time during the thirty (30) day period or an extension thereof, the



1 board notifies the director of its intention not to proceed further to
 2 resolve the complaint, the division may proceed immediately under this
 3 chapter. For every purpose of this section, a board may designate a
 4 board member or staff member to act on behalf of or in the name of the
 5 board.

6 SECTION 76. IC 25-1-7-10, AS AMENDED BY P.L.168-2016,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2019]: Sec. 10. (a) Except as provided in section 3(b) or 3(c)
 9 of this chapter, all complaints and information pertaining to the
 10 complaints shall be held in strict confidence until the attorney general
 11 files notice with the board of the attorney general's intent to prosecute
 12 the licensee.

13 (b) A person in the employ of the office of attorney general, the
 14 ~~Indiana professional health professions~~ licensing agency, **the**
 15 **workforce licensing agency**, or any person not a party to the complaint
 16 may not disclose or further a disclosure of information concerning the
 17 complaint unless the disclosure is:

- 18 (1) required under law;
- 19 (2) required for the advancement of an investigation; or
- 20 (3) made to a law enforcement agency that has jurisdiction or is
 21 reasonably believed to have jurisdiction over a person or matter
 22 involved in the complaint.

23 SECTION 77. IC 25-1-7-14, AS AMENDED BY P.L.134-2013,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2019]: Sec. 14. (a) Notwithstanding any other law, if the board
 26 of a regulated occupation believes that a person who is not licensed,
 27 certified, or registered under this title is engaged in or is believed to be
 28 engaged in activities for which a license, certification, or registration
 29 is required under this title, the board may do the following:

- 30 (1) File a complaint with the attorney general, who shall
 31 investigate and may file:
 32 (A) with notice; or
 33 (B) without notice, if the attorney general determines that the
 34 person is engaged in activities that may affect an individual's
 35 health or safety;

36 a motion for a cease and desist order with the appropriate board.
 37 For purposes of this subdivision, the board may designate a board
 38 member or an employee of the ~~Indiana professional health~~
 39 **professions** licensing agency **or the workforce licensing agency**
 40 to act on behalf or in the name of the board.

- 41 (2) Upon review of the attorney general's motion for a cease and
 42 desist order, the board may issue an order requiring the affected



1 person to show cause why the person should not be ordered to
 2 cease and desist from such activities. The show cause order must
 3 set forth a time and place for a hearing at which the affected
 4 person may appear and show cause as to why the person should
 5 not be subject to licensing, certification, or registration under this
 6 title. For purposes of this subdivision, the board may designate a
 7 board member to act on behalf or in the name of the board.

8 (b) If the board, after a hearing, determines that the activities in
 9 which the person is engaged are subject to licensing, certification, or
 10 registration under this title, the board may issue a cease and desist
 11 order that must describe the person and activities that are the subject
 12 of the order.

13 (c) A hearing conducted under this section must comply with the
 14 requirements under IC 4-21.5.

15 (d) A cease and desist order issued under this section is enforceable
 16 in the circuit or superior courts. A person who is enjoined under a
 17 cease and desist order and who violates the order shall be punished for
 18 contempt of court.

19 (e) A cease and desist order issued under this section does not
 20 relieve any person from prosecution under any other law.

21 (f) In addition to the powers specified in subsections (a) through (e),
 22 the state board of funeral and cemetery service may:

- 23 (1) file complaints under subsection (a)(1);
- 24 (2) issue show cause orders under subsection (a)(2); and
- 25 (3) hold hearings and issue cease and desist orders under
 26 subsection (b);

27 in relation to persons who are engaged in or believed to be engaged in
 28 activities for which a certificate of authority is required under
 29 IC 30-2-13.

30 (g) Cease and desist orders may be issued by the state board of
 31 funeral and cemetery service under subsection (f) for failure to possess
 32 a certificate of authority even if the person has a valid:

- 33 (1) funeral home license;
- 34 (2) funeral director license;
- 35 (3) embalmer license; or
- 36 (4) cemetery registration.

37 (h) A cease and desist order issued under this section by a board
 38 defined in IC 25-1-11-1 may also include an order for the person to pay
 39 consumer restitution to a person who suffered damages as a result of
 40 the activities that were the basis for the cease and desist order.

41 (i) A cease and desist order issued under this section may also
 42 include an order for repayment of the costs of the proceedings. The



1 person's ability to pay must be considered when costs are assessed.
 2 These costs are limited to costs for the following:

- 3 (1) Court reporters.
- 4 (2) Transcripts.
- 5 (3) Certification of documents.
- 6 (4) Photo duplication.
- 7 (5) Witness attendance and mileage fees.
- 8 (6) Postage.
- 9 (7) Expert witnesses.
- 10 (8) Depositions.
- 11 (9) Notarizations.
- 12 (10) Administrative law judges.
- 13 (11) Real estate review appraisals.

14 SECTION 78. IC 25-1-8-6, AS AMENDED BY P.L.3-2014,
 15 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2019]: Sec. 6. (a) As used in this section, "board" means any
 17 of the entities described in IC 25-0.5-10.

18 (b) This section does not apply to a license, certificate, or
 19 registration that has been revoked or suspended.

20 (c) Notwithstanding any other law regarding the reinstatement of a
 21 delinquent or lapsed license, certificate, or registration and except as
 22 provided in section 8 of this chapter, the holder of a license, certificate,
 23 or registration that was issued by the board that is three (3) years or less
 24 delinquent must be reinstated upon meeting the following
 25 requirements:

- 26 (1) Submission of the holder's completed renewal application.
- 27 (2) Payment of the current renewal fee established by the board
 28 under section 2 of this chapter.
- 29 (3) Payment of a reinstatement fee established by:
 - 30 (A) the ~~Indiana professional health professions~~ licensing
 31 agency **for a license, certificate, or registration that was**
 32 **issued by a board described in IC 25-0.5-5; or**
 - 33 (B) **the workforce licensing agency for a license, certificate,**
 34 **or registration that was issued by a board described in**
 35 **IC 25-0.5-7.**
- 36 (4) If a law requires the holder to complete continuing education
 37 as a condition of renewal, the holder:
 - 38 (A) shall provide the board with a sworn statement, signed by
 39 the holder, that the holder has fulfilled the continuing
 40 education requirements required by the board; or
 - 41 (B) shall, if the holder has not complied with the continuing
 42 education requirements, meet any requirements imposed under



1 IC 25-1-4-5 and IC 25-1-4-6.

2 (d) Notwithstanding any other law regarding the reinstatement of a
3 delinquent or lapsed license, certificate, or registration and except as
4 provided in section 8 of this chapter, unless a statute specifically does
5 not allow a license, certificate, or registration to be reinstated if it has
6 lapsed for more than three (3) years, the holder of a license, certificate,
7 or registration that was issued by the board that is more than three (3)
8 years delinquent must be reinstated upon meeting the following
9 requirements:

- 10 (1) Submission of the holder's completed renewal application.
11 (2) Payment of the current renewal fee established by the board
12 under section 2 of this chapter.
13 (3) Payment of a reinstatement fee equal to the current initial
14 application fee.
15 (4) If a law requires the holder to complete continuing education
16 as a condition of renewal, the holder:
17 (A) shall provide the board with a sworn statement, signed by
18 the holder, that the holder has fulfilled the continuing
19 education requirements required by the board; or
20 (B) shall, if the holder has not complied with the continuing
21 education requirements, meet any requirements imposed under
22 IC 25-1-4-5 and IC 25-1-4-6.
23 (5) Complete ~~such~~ any remediation and additional training as
24 deemed appropriate by the board given the lapse of time involved.
25 (6) Any other requirement that is provided for in statute or rule
26 that is not related to fees.

27 SECTION 79. IC 25-1-9-6.9, AS AMENDED BY P.L.206-2005,
28 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2019]: Sec. 6.9. In addition to the actions listed under section
30 4 of this chapter that subject a practitioner to disciplinary sanctions, a
31 practitioner is subject to the exercise of disciplinary sanctions under
32 section 9 of this chapter if, after a hearing, the board finds that the
33 practitioner has:

- 34 (1) failed to provide information requested by the ~~Indiana~~
35 **professional health professions** licensing agency; or
36 (2) knowingly provided false information to the ~~Indiana~~
37 **professional health professions** licensing agency;
38 for a provider profile required under IC 25-1-5-10.

39 SECTION 80. IC 25-1-9.5-9, AS AMENDED BY P.L.150-2017,
40 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2019]: Sec. 9. (a) A prescriber who is physically located
42 outside Indiana is engaged in the provision of health care services in



- 1 Indiana when the prescriber:
- 2 (1) establishes a provider-patient relationship under this chapter
- 3 with; or
- 4 (2) determines whether to issue a prescription under this chapter
- 5 for;
- 6 an individual who is located in Indiana.
- 7 (b) A prescriber described in subsection (a) may not establish a
- 8 provider-patient relationship under this chapter with or issue a
- 9 prescription under this chapter for an individual who is located in
- 10 Indiana unless the prescriber and the prescriber's employer or the
- 11 prescriber's contractor, for purposes of providing health care services
- 12 under this chapter, have certified in writing to the ~~Indiana professional~~
- 13 **health professions** licensing agency, in a manner specified by the
- 14 ~~Indiana professional~~ **health professions** licensing agency, that the
- 15 prescriber and the prescriber's employer or prescriber's contractor agree
- 16 to be subject to:
- 17 (1) the jurisdiction of the courts of law of Indiana; and
- 18 (2) Indiana substantive and procedural laws;
- 19 concerning any claim asserted against the prescriber, the prescriber's
- 20 employer, or the prescriber's contractor arising from the provision of
- 21 health care services under this chapter to an individual who is located
- 22 in Indiana at the time the health care services were provided. The filing
- 23 of the certification under this subsection shall constitute a voluntary
- 24 waiver by the prescriber, the prescriber's employer, or the prescriber's
- 25 contractor of any respective right to avail themselves of the jurisdiction
- 26 or laws other than those specified in this subsection concerning the
- 27 claim. However, a prescriber that practices predominately in Indiana
- 28 is not required to file the certification required by this subsection.
- 29 (c) A prescriber shall renew the certification required under
- 30 subsection (b) at the time the prescriber renews the prescriber's license.
- 31 (d) A prescriber's employer or a prescriber's contractor is required
- 32 to file the certification required by this section only at the time of initial
- 33 certification.
- 34 SECTION 81. IC 25-1-9.5-12, AS ADDED BY P.L.78-2016,
- 35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2019]: Sec. 12. The ~~Indiana professional~~ **health professions**
- 37 licensing agency may adopt policies or rules under IC 4-22-2 necessary
- 38 to implement this chapter. Adoption of policies or rules under this
- 39 section may not delay the implementation and provision of
- 40 telemedicine services under this chapter.
- 41 SECTION 82. IC 25-1-13-2, AS ADDED BY P.L.65-2006,
- 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 2. As used in this chapter, "agency" refers to the
 2 ~~Indiana professional health professions~~ licensing agency established
 3 by ~~IC 25-1-5-3~~. **IC 16-19-18-2.**

4 SECTION 83. IC 25-1-16-1, AS ADDED BY P.L.84-2010,
 5 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 1. As used in this chapter, "agency" refers to the
 7 ~~Indiana professional health professions~~ licensing agency.

8 SECTION 84. IC 25-1-16-2, AS ADDED BY P.L.84-2010,
 9 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2019]: Sec. 2. As used in this chapter, "board" ~~means an entity~~
 11 ~~that regulates a specific regulated occupation:~~ **has the meaning set**
 12 **forth in IC 25-0.5-11-1.**

13 SECTION 85. IC 25-1-16-4, AS AMENDED BY P.L.112-2014,
 14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2019]: Sec. 4. As used in this chapter, "license" means:

- 16 (1) an unlimited license, permit, certificate, or certificate of
 17 registration;
- 18 (2) a temporary, limited, or probationary license, permit,
 19 certificate, or certificate of registration;
- 20 (3) an intern permit; or
- 21 (4) a provisional license;

22 issued by the board regulating the regulated **health** occupation in
 23 question. "Licensed" has a corresponding meaning.

24 SECTION 86. IC 25-1-16-5, AS ADDED BY P.L.84-2010,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2019]: Sec. 5. As used in this chapter, "regulated **health**
 27 occupation" ~~has the meaning set forth in IC 25-1-7-1:~~ **means an**
 28 **occupation that is regulated by a board.**

29 SECTION 87. IC 25-1-16-8, AS AMENDED BY P.L.49-2017,
 30 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 8. (a) The agency shall review and evaluate each
 32 regulated **health** occupation and board. The review and evaluation
 33 must include the following:

- 34 (1) The functions, powers, and duties of the regulated **health**
 35 occupation and the board, including any functions, powers, or
 36 duties that are inconsistent with current or projected practice of
 37 the occupation.
- 38 (2) An assessment of the management efficiency of the board.
- 39 (3) An assessment of the regulated **health** occupation's and the
 40 board's ability to meet the objectives of the general assembly in
 41 licensing the regulated **health** occupation.
- 42 (4) An assessment of the necessity, burden, and alternatives to the



- 1 licenses issued by the board.
- 2 (5) An assessment of the fees that the board charges for licenses.
- 3 (6) Any other criteria identified by the agency.
- 4 (b) The agency shall prepare a report concerning each regulated
- 5 **health** occupation and board that the agency reviews and evaluates.
- 6 The report must contain the following:
- 7 (1) The number of individuals who are licensed in the regulated
- 8 **health** occupation.
- 9 (2) A summary of the board's functions and actions.
- 10 (3) The budget and other fiscal factors of regulating the regulated
- 11 **health** occupation, including the actual cost of administering
- 12 license applications, renewals, and issuing licenses.
- 13 (4) An assessment of the effect of the regulated **health** occupation
- 14 on the state's economy, including consumers and businesses.
- 15 (5) Any recommendations for legislation, including whether:
- 16 (A) the regulation of a regulated **health** occupation should be
- 17 modified;
- 18 (B) the board should be combined with another board;
- 19 (C) the board or the regulation of the regulated **health**
- 20 occupation should be terminated;
- 21 (D) a license should be eliminated; or
- 22 (E) multiple licenses should be consolidated into a single
- 23 license.
- 24 (6) Any recommendations for administrative changes.
- 25 (7) Information that supports the agency's recommendations.
- 26 (c) This section does not apply to fees that support dedicated funds.
- 27 After the agency has reviewed and evaluated a regulated **health**
- 28 occupation and board, the agency shall provide the board that is the
- 29 subject of the agency's evaluation with recommendations for fees that
- 30 the board should charge for application fees, renewal fees, and fees to
- 31 issue licenses. The recommendation for fees must comply with the
- 32 requirements under IC 25-1-8-2. However, the recommendation must
- 33 not exceed the lesser of either one hundred dollars (\$100) or the actual
- 34 administrative cost to process the application or renew or issue the
- 35 license.
- 36 SECTION 88. IC 25-1-16-9, AS AMENDED BY P.L.49-2017,
- 37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2019]: Sec. 9. (a) A board shall cooperate with the agency, as
- 39 the agency determines is necessary in the agency's review and
- 40 evaluation of the board.
- 41 (b) The agency shall allow testimony concerning each regulated
- 42 **health** occupation that is being reviewed and evaluated.



1 SECTION 89. IC 25-1-16-10, AS AMENDED BY P.L.49-2017,
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 10. The agency shall establish a schedule to
 4 review and evaluate each regulated **health** occupation. Each regulated
 5 **health** occupation must be reviewed and evaluated at least every five
 6 (5) years.

7 SECTION 90. IC 25-1-16-14, AS AMENDED BY P.L.49-2017,
 8 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2019]: Sec. 14. The agency shall seek public input when
 10 considering any proposals or reports concerning the elimination of a
 11 license or change to a regulated **health** occupation.

12 SECTION 91. IC 25-1-16-15, AS AMENDED BY P.L.49-2017,
 13 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2019]: Sec. 15. The agency shall review and evaluate a
 15 proposal to license a new **health** occupation upon the request of any of
 16 the following:

- 17 (1) A member of the general assembly.
- 18 (2) A legislative staff member on behalf of a member of the
 19 general assembly.
- 20 (3) A member of the legislative services agency on behalf of a
 21 member of the general assembly.

22 SECTION 92. IC 25-1-16.5 IS ADDED TO THE INDIANA CODE
 23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2019]:

25 **Chapter 16. Evaluation of Regulated Workforce Occupations**

26 **Sec. 1. As used in this chapter, "agency" refers to the workforce**
 27 **licensing agency.**

28 **Sec. 2. As used in this chapter, "board" has the meaning set**
 29 **forth in IC 25-0.5-12-1**

30 **Sec. 3. As used in this chapter, "license" means:**

- 31 (1) **an unlimited license, permit, certificate, or certificate of**
 32 **registration;**
- 33 (2) **a temporary, limited, or probationary license, permit,**
 34 **certificate, or certificate of registration;**
- 35 (3) **an intern permit; or**
- 36 (4) **a provisional license;**

37 **issued by the board regulating the regulated workforce occupation**
 38 **in question. "Licensed" has a corresponding meaning.**

39 **Sec. 4. As used in this chapter, "regulated workforce**
 40 **occupation" means an occupation that is regulated by a board.**

41 **Sec. 5. (a) The agency shall review and evaluate each regulated**
 42 **workforce occupation and board. The review and evaluation must**



- 1 include the following:
- 2 (1) The functions, powers, and duties of the regulated
- 3 workforce occupation and the board, including any functions,
- 4 powers, or duties that are inconsistent with current or
- 5 projected practice of the occupation.
- 6 (2) An assessment of the management efficiency of the board.
- 7 (3) An assessment of the regulated workforce occupation's
- 8 and the board's ability to meet the objectives of the general
- 9 assembly in licensing the regulated workforce occupation.
- 10 (4) An assessment of the necessity, burden, and alternatives to
- 11 the licenses issued by the board.
- 12 (5) An assessment of the fees that the board charges for
- 13 licenses.
- 14 (6) Any other criteria identified by the agency.
- 15 (b) The agency shall prepare a report concerning each regulated
- 16 workforce occupation and board that the agency reviews and
- 17 evaluates. The report must contain the following:
- 18 (1) The number of individuals who are licensed in the
- 19 regulated workforce occupation.
- 20 (2) A summary of the board's functions and actions.
- 21 (3) The budget and other fiscal factors of regulating the
- 22 regulated workforce occupation, including the actual cost of
- 23 administering license applications, renewals, and issuing
- 24 licenses.
- 25 (4) An assessment of the effect of the regulated workforce
- 26 occupation on the state's economy, including consumers and
- 27 businesses.
- 28 (5) Any recommendations for legislation, including whether:
- 29 (A) the regulation of a regulated workforce occupation
- 30 should be modified;
- 31 (B) the board should be combined with another board;
- 32 (C) the board or the regulation of the regulated workforce
- 33 occupation should be terminated;
- 34 (D) a license should be eliminated; or
- 35 (E) multiple licenses should be consolidated into a single
- 36 license.
- 37 (6) Any recommendations for administrative changes.
- 38 (7) Information that supports the agency's recommendations.
- 39 (c) This section does not apply to fees that support dedicated
- 40 funds. After the agency has reviewed and evaluated a regulated
- 41 workforce occupation and board, the agency shall provide the
- 42 board that is the subject of the agency's evaluation with



1 recommendations for fees that the board should charge for
 2 application fees, renewal fees, and fees to issue licenses. The
 3 recommendation for fees must comply with the requirements
 4 under IC 25-1-8-2. However, the recommendation must not exceed
 5 the lesser of one hundred dollars (\$100) or the actual
 6 administrative cost to process the application or renew or issue the
 7 license.

8 **Sec. 6. (a)** A board shall cooperate with the agency, as the
 9 agency determines is necessary in the agency's review and
 10 evaluation of the board.

11 **(b)** The agency shall allow testimony concerning each regulated
 12 workforce occupation that is being reviewed and evaluated.

13 **Sec. 7.** The agency shall establish a schedule to review and
 14 evaluate each regulated workforce occupation. Each regulated
 15 workforce occupation must be reviewed and evaluated at least
 16 every five (5) years.

17 **Sec. 8.** The agency shall submit a report to the:

- 18 (1) governor; and
- 19 (2) legislative services agency;

20 not later than July 1 of each year. The report submitted to the
 21 legislative services agency must be in an electronic format under
 22 IC 5-14-6.

23 **Sec. 9.** The agency shall seek public input when considering any
 24 proposals or reports concerning the elimination of a license or
 25 change to a regulated workforce occupation.

26 **Sec. 10.** The agency shall review and evaluate a proposal to
 27 license a new occupation upon the request of any of the following:

- 28 (1) A member of the general assembly.
- 29 (2) A legislative staff member on behalf of a member of the
 30 general assembly.
- 31 (3) A member of the legislative services agency on behalf of a
 32 member of the general assembly.

33 SECTION 93. IC 25-2.1-2-16, AS ADDED BY P.L.25-2012,
 34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2019]: Sec. 16. (a) The board may adopt a rule under
 36 IC 4-22-2-37.1 to incorporate by reference into a rule the latest
 37 statement, edition, or compilation of the professional standards
 38 governing the competent practice of accountancy that are:

- 39 (1) enacted in a federal or state statute, rule, or regulation; or
- 40 (2) adopted by an agent of the United States, a state, or a
 41 nationally recognized organization or association, including the
 42 AICPA, the International Accounting Standards Board, and the



1 Public Company Accounting Oversight Board.

2 (b) The board may, by resolution, authorize the ~~executive~~ director
3 of the ~~Indiana professional workforce~~ licensing agency to adopt one
4 (1) or more rules described in subsection (a) on behalf of the board.
5 The authorization may be limited as determined by the board. The
6 board may revise or terminate an authorization by resolution. The
7 ~~executive~~ director of the ~~Indiana professional workforce~~ licensing
8 agency shall adopt rules under IC 4-22-2-37.1 in conformity with the
9 resolution adopted by the board. A rule adopted on behalf of the board
10 by the ~~executive~~ director must:

- 11 (1) be signed by the ~~executive~~ director;
- 12 (2) specify on the signature page that the ~~executive~~ director is
13 acting on behalf of the board; and
- 14 (3) be submitted to the publisher of the Indiana Register under
15 IC 4-22-2-37.1 with a copy of the resolution authorizing the
16 rulemaking.

17 A rule adopted by the ~~executive~~ director in conformity with this
18 subsection shall be treated as a rule of the board.

19 (c) A rule described in subsection (a) or (b) expires on the later of
20 the date:

- 21 (1) specified in the rule; or
- 22 (2) that another rule becomes effective that amends or repeals the
23 previously issued rule.

24 SECTION 94. IC 25-2.1-8-4, AS AMENDED BY P.L.112-2014,
25 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 4. (a) The accountant investigative fund is
27 established to provide funds for administering and enforcing the
28 provisions of this article, including investigating and taking
29 enforcement action against violators of this article. The fund shall be
30 administered by the ~~Indiana professional workforce~~ licensing agency.

31 (b) The expenses of administering the fund shall be paid from the
32 money in the fund. The fund consists of:

- 33 (1) money from a fee imposed upon a person who holds a
34 certificate as an accounting practitioner, a CPA, or a PA under
35 IC 25-2.1-2-12(b);
- 36 (2) civil penalties collected under IC 25-2.1-13-3(b); and
- 37 (3) civil penalties collected under IC 25-1-11-12.

38 (c) The treasurer of state shall invest the money in the fund not
39 currently needed to meet the obligations of the fund in the same
40 manner as other public money may be invested.

41 (d) Money in the fund at the end of a state fiscal year does not revert
42 to the state general fund. However, if the total amount in the fund



1 exceeds one million dollars (\$1,000,000) at the end of a state fiscal
 2 year after payment of all claims and expenses, the amount that exceeds
 3 one million dollars (\$1,000,000) reverts to the state general fund.

4 (e) Money in the fund is continually appropriated to the ~~Indiana~~
 5 **professional workforce** licensing agency for its use in administering
 6 and enforcing this article and conducting investigations and taking
 7 enforcement action against persons violating this article.

8 (f) The attorney general and the ~~Indiana professional workforce~~
 9 licensing agency may enter into a memorandum of understanding to
 10 provide the attorney general with funds to conduct investigations and
 11 pursue enforcement action against violators of this article.

12 (g) The attorney general and the ~~Indiana professional workforce~~
 13 licensing agency shall present the memorandum of understanding
 14 annually to the board for review.

15 SECTION 95. IC 25-2.5-1-2.5, AS ADDED BY P.L.1-2006,
 16 SECTION 418, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2019]: Sec. 2.5. "Agency" refers to the ~~Indiana~~
 18 **professional health professions** licensing agency established by
 19 IC 25-1-5-3.

20 SECTION 96. IC 25-4-1-4, AS AMENDED BY P.L.194-2005,
 21 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2019]: Sec. 4. The board shall be entitled to the services of the
 23 attorney general in connection with any of the business of the board.
 24 The board shall have the power to administer oaths and take testimony
 25 and proofs concerning any matter which may come within its
 26 jurisdiction. The attorney general, the prosecuting attorney of any
 27 county, the board, or a citizen of a county wherein any person, not
 28 herein exempted, shall engage in the practice of architecture or
 29 landscape architecture, as herein defined, without first having obtained
 30 a certificate of registration, or without first having renewed an expired
 31 certificate of registration, so to practice, may, in accordance with the
 32 provisions of the laws of this state governing injunctions, maintain an
 33 action, in the name of the state of Indiana, to enjoin such person from
 34 engaging in the practice of architecture or landscape architecture, as
 35 herein defined, until a certificate of registration is secured, or renewed,
 36 in accordance with the provisions of this chapter. Any person who has
 37 been so enjoined and who violates the injunction shall be punished for
 38 contempt of court. The injunction shall not relieve such person so
 39 practicing architecture or landscape architecture without a certificate
 40 of registration, or without first having renewed an expired certificate of
 41 registration, from a criminal prosecution therefor, as is provided by this
 42 chapter, but such remedy by injunction shall be in addition to any



1 remedy provided for herein for the criminal prosecution of such
 2 offender. In charging any person in a complaint for an injunction, or in
 3 an affidavit, information or indictment, with the violation of the
 4 provisions of this chapter, by practicing architecture or landscape
 5 architecture without a certificate of registration or without having
 6 renewed an expired certificate of registration, it shall be sufficient to
 7 charge that the person did upon a certain day and in a certain county
 8 engage in the practice of architecture or landscape architecture, without
 9 having a certificate of registration or without having renewed an
 10 expired certificate of registration, to so practice, without averring any
 11 further or more particular facts concerning the same. The attorney
 12 general and the **Indiana professional workforce** licensing agency may
 13 use the registered architects and registered landscape architects
 14 investigative fund established by section 32 of this chapter to hire
 15 investigators and other employees to enforce the provisions of this
 16 article and to investigate and prosecute violations of this article.

17 SECTION 97. IC 25-4-1-32, AS AMENDED BY P.L.177-2006,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 32. (a) The registered architects and registered
 20 landscape architects investigative fund is established to provide funds
 21 for administering and enforcing the provisions of this article, including
 22 investigating and taking enforcement action against violators of this
 23 article. The fund shall be administered by the attorney general and the
 24 **Indiana professional workforce** licensing agency.

25 (b) The expenses of administering the fund shall be paid from the
 26 money in the fund. The fund consists of money from a fee imposed
 27 upon registered architects and registered landscape architects under
 28 section 16(f) of this chapter.

29 (c) The treasurer of state shall invest the money in the fund not
 30 currently needed to meet the obligations of the fund in the same
 31 manner as other public money may be invested.

32 (d) Money in the fund at the end of a state fiscal year does not revert
 33 to the state general fund. If the total amount in the fund exceeds five
 34 hundred thousand dollars (\$500,000) at the end of a state fiscal year
 35 after payment of all claims and expenses, the amount that exceeds five
 36 hundred thousand dollars (\$500,000) reverts to the state general fund.

37 (e) Money in the fund is continually appropriated for use by the
 38 attorney general and the **Indiana professional workforce** licensing
 39 agency to administer and enforce the provisions of this article and to
 40 conduct investigations and take enforcement action against persons
 41 violating the provisions of this article.

42 SECTION 98. IC 25-4-2-8, AS AMENDED BY P.L.177-2006,



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 8. (a) The board shall set the fees for issuance of
3 a certificate of registration to a landscape architect and for the biennial
4 renewal of registration. The fee for registration and for renewal of
5 registration must be based upon the administrative costs of registering
6 and regulating landscape architects. This fee must include the costs for:

- 7 (1) office facilities, supplies, and equipment;
8 (2) clerical assistance; and
9 (3) administering and enforcing this article as set forth in
10 IC 25-4-1-16(f).

11 (b) Except as provided in IC 25-4-1-32, all fees collected under this
12 chapter shall be paid by the ~~Indiana professional workforce~~ licensing
13 agency to the treasurer of state who shall deposit them in the general
14 fund of the state.

15 SECTION 99. IC 25-5.1-1-1.5, AS ADDED BY P.L.1-2006,
16 SECTION 420, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2019]: Sec. 1.5. "Agency" refers to the ~~Indiana~~
18 ~~professional health professions~~ licensing agency established by
19 ~~IC 25-1-5-3: IC 16-19-18-2.~~

20 SECTION 100. IC 25-6.1-1-3, AS AMENDED BY P.L.59-2014,
21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2019]: Sec. 3. As used in this article:

23 "Auction" means a sale transaction conducted by means of oral or
24 written exchanges between an auctioneer and the members of the
25 auctioneer's audience, which exchanges consist of a series of
26 invitations for offers for the purchase of goods or real estate made by
27 the auctioneer and offers to purchase made by members of the audience
28 and culminate in the acceptance by the auctioneer of the highest or
29 most favorable offer made by a member of the participating audience.

30 "Auction company" means any person or persons who, as a part of
31 its business, arranges, manages, sponsors, advertises, or carries out
32 auctions.

33 "Auctioneer" means an individual who is engaged in, or who by
34 advertising or otherwise holds the individual out as being available to
35 engage in, the calling for, the recognition of, and the acceptance of
36 offers for the purchase of goods or real estate at an auction.

37 "Commission" means the Indiana auctioneer commission.

38 "Goods" means any goods, wares, chattels, merchandise, or other
39 personal property, including domestic animals and farm products.

40 "Licensee" means any person licensed under this article and, in the
41 case of an auction company, includes the person required to obtain a
42 license for such auction company.



1 "Organization" means a corporation, a limited liability company, a
 2 partnership, a trust (specifically including a business trust), a firm, an
 3 association, or any other form of business enterprise which is owned by
 4 two (2) or more individuals.

5 "Person" means an organization or an individual.

6 "Real estate" means any right, title, or interest in real property,
 7 including fixtures.

8 "Licensing agency" means the ~~Indiana professional workforce~~
 9 licensing agency established by ~~IC 25-1-5-3~~. **IC 22-4.1-2-2.**

10 SECTION 101. IC 25-8-2-2, AS AMENDED BY P.L.1-2006,
 11 SECTION 424, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2019]: Sec. 2. "Agency" refers to the ~~Indiana~~
 13 ~~professional workforce~~ licensing agency established by ~~IC 25-1-5-3~~.
 14 **IC 22-4.1-2-2.**

15 SECTION 102. IC 25-8-3-30, AS ADDED BY P.L.170-2013,
 16 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2019]: Sec. 30. (a) The board shall implement a program to
 18 investigate and assess a civil penalty of not more than five hundred
 19 dollars (\$500) against a licensee under this article for the following
 20 violations:

21 (1) Violation of this article under IC 25-8-14-5.

22 (2) Failure to display a license required under IC 25-8-4-13.

23 (3) Failure to continue to meet the licensure requirements under
 24 IC 25-8-4-29.

25 (4) Engaging in beauty culture outside a beauty culture salon
 26 under IC 25-8-9-14.

27 (5) Operating a tanning facility without a license under
 28 IC 25-8-15.4-5.

29 (b) An individual who is investigated by the board and found by the
 30 board to have committed a violation specified in subsection (a) may
 31 appeal the determination made by the board in accordance with
 32 IC 4-21.5.

33 (c) The state board of cosmetology and barber examiners
 34 compliance fund is established to provide funds for administering and
 35 enforcing the investigation of violations specified in subsection (a).
 36 The fund shall be administered by the ~~Indiana professional workforce~~
 37 licensing agency.

38 (d) The expenses of administering the state board of cosmetology
 39 and barber examiners compliance fund shall be paid from the money
 40 in the fund. The fund consists of penalties collected through
 41 investigations and assessments by the board concerning violations
 42 specified in subsection (a).



1 (e) The treasurer of state shall invest the money in the fund not
 2 currently needed to meet the obligations of the fund in the same
 3 manner as other public money may be invested. Interest that accrues
 4 from these investments shall be deposited in the fund.

5 (f) Except as otherwise provided in this subsection, money in the
 6 fund at the end of a state fiscal year does not revert to the state general
 7 fund. If the total amount in the fund exceeds seven hundred fifty
 8 thousand dollars (\$750,000) at the end of a state fiscal year after
 9 payment of all claims and expenses, the amount that exceeds seven
 10 hundred fifty thousand dollars (\$750,000) reverts to the state general
 11 fund.

12 SECTION 103. IC 25-10-1-1, AS AMENDED BY P.L.85-2018,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2019]: Sec. 1. As used in this article:

15 (1) "Chiropractic" means the examination, diagnosis, evaluation,
 16 and treatment of human ailments and conditions of any
 17 interference with normal nerve transmission and expression, the
 18 procedure preparatory to and complementary to the correction
 19 thereof by an adjustment or manipulation of the articulations of
 20 the vertebral column, its immediate articulation, including other
 21 incidental means of adjustments of the spinal column, extremities,
 22 and musculoskeletal soft tissues of the body without the use of
 23 prescription drugs or surgery.

24 (2) "Chiropractor" means any person who is qualified under this
 25 chapter to practice the science of chiropractic.

26 (3) "Board" means the board of chiropractic examiners under
 27 section 1.5 of this chapter.

28 (4) "Agency" refers to the **Indiana professional health**
 29 **professions** licensing agency ~~under IC 25-1-5. established by~~
 30 **IC 16-19-18-2.**

31 SECTION 104. IC 25-13-1-8, AS AMENDED BY P.L.78-2017,
 32 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 8. (a) A license to practice dental hygiene in
 34 Indiana may be issued to candidates who pass an examination
 35 administered by an entity that has been approved by the board. Subject
 36 to IC 25-1-2-6(e), the license shall be valid for the remainder of the
 37 renewal period in effect on the date the license was issued.

38 (b) Prior to the issuance of the license, the applicant shall pay a fee
 39 set by the board under section 5 of this chapter. Subject to
 40 IC 25-1-2-6(e), a license issued by the board expires on a date specified
 41 by the **Indiana professional health professions** licensing agency under
 42 IC 25-1-5-4(1) of each even-numbered year.



1 (c) Subject to IC 25-1-2-6(e), an applicant for license renewal must
 2 satisfy the following conditions:

3 (1) Pay:

4 (A) the renewal fee set by the board under section 5 of this
 5 chapter on or before the renewal date specified by the ~~Indiana~~
 6 **professional health professions** licensing agency in each
 7 even-numbered year; and

8 (B) a compliance fee of twenty dollars (\$20) to be deposited in
 9 the dental compliance fund established by IC 25-14-1-3.7.

10 (2) Subject to IC 25-1-4-3, provide the board with a sworn
 11 statement signed by the applicant attesting that the applicant has
 12 fulfilled the continuing education requirements under IC 25-13-2.

13 (3) Be currently certified or successfully complete a course in
 14 basic life support through a program approved by the board. The
 15 board may waive the basic life support requirement for applicants
 16 who show reasonable cause.

17 (d) If the holder of a license does not renew the license on or before
 18 the renewal date specified by the ~~Indiana professional health~~
 19 **professions** licensing agency, the license expires and becomes invalid
 20 without any action by the board.

21 (e) A license invalidated under subsection (d) may be reinstated by
 22 the board in three (3) years or less after such invalidation if the holder
 23 of the license meets the requirements under IC 25-1-8-6(c).

24 (f) If a license remains invalid under subsection (d) for more than
 25 three (3) years, the holder of the invalid license may obtain a reinstated
 26 license by meeting the requirements for reinstatement under
 27 IC 25-1-8-6(d). The board may require the licensee to participate in
 28 remediation or pass an examination administered by an entity approved
 29 by the board.

30 (g) The board may require the holder of an invalid license who files
 31 an application under this subsection to appear before the board and
 32 explain why the holder failed to renew the license.

33 (h) The board may adopt rules under section 5 of this chapter
 34 establishing requirements for the reinstatement of a license that has
 35 been invalidated for more than three (3) years.

36 (i) The license to practice must be displayed at all times in plain
 37 view of the patients in the office where the holder is engaged in
 38 practice. No person may lawfully practice dental hygiene who does not
 39 possess a license and its current renewal.

40 (j) Biennial renewals of licenses are subject to the provisions of
 41 IC 25-1-2.

42 SECTION 105. IC 25-14-1-1.5, AS AMENDED BY P.L.82-2016,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 1.5. The following definitions apply throughout
3 this article:

4 (1) "Agency" refers to the ~~Indiana professional health~~
5 ~~professions~~ licensing agency established by ~~IC 25-1-5-3.~~
6 **IC 16-19-18-2.**

7 (2) "Board" refers to the state board of dentistry established under
8 this chapter.

9 (3) "Deep sedation" means a drug induced depression of
10 consciousness during which cardiovascular function is usually
11 maintained and the individual may:

12 (A) not be easily aroused;

13 (B) be able to respond purposefully following repeated or
14 painful stimulation;

15 (C) have an impaired ability to independently maintain
16 ventilatory function;

17 (D) require assistance in maintaining a patent airway; and

18 (E) have inadequate spontaneous ventilation.

19 (4) "Dental assistant" means a qualified dental staff member,
20 other than a licensed dental hygienist, who assists a licensed
21 dentist with patient care while working under the dentist's direct
22 supervision.

23 (5) "Direct supervision" means that a licensed dentist is physically
24 present in the facility when patient care is provided by the dental
25 assistant.

26 (6) "Enteral route of administration" means a technique of
27 administering an agent so that it is absorbed through the
28 gastrointestinal tract or oral mucosa.

29 (7) "General anesthesia" means a drug induced loss of
30 consciousness during which cardiovascular function may be
31 impaired and the individual:

32 (A) is not arousable, even by painful stimulation;

33 (B) often has an impaired ability to independently maintain
34 ventilatory function;

35 (C) often requires assistance in maintaining a patent airway;
36 and

37 (D) may require positive pressure ventilation because of
38 depressed spontaneous ventilation or drug induced depression
39 of neuromuscular function.

40 (8) "INSPECT program" means the Indiana scheduled
41 prescription electronic collection and tracking program
42 established by IC 25-1-13-4.



1 (9) "Moderate sedation" means a drug induced depression of
 2 consciousness during which cardiovascular function is usually
 3 maintained and the individual:

4 (A) responds purposefully to verbal commands, either alone or
 5 with light tactile stimulation;

6 (B) does not require intervention to maintain a patent airway;
 7 and

8 (C) has adequate spontaneous ventilation.

9 (10) "Parenteral route of administration" means a technique of
 10 administering an agent by intravenous or intramuscular injection
 11 so that it bypasses the gastrointestinal tract.

12 SECTION 106. IC 25-14-1-3.7, AS AMENDED BY P.L.264-2013,
 13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2019]: Sec. 3.7. (a) The dental compliance fund is established
 15 to provide funds for administering and enforcing the provisions of this
 16 article, including investigating and taking enforcement action against
 17 violators of:

18 (1) IC 25-1-9 concerning an individual licensed under IC 25-13
 19 or this article;

20 (2) IC 25-13; and

21 (3) this article.

22 The fund shall be administered by the **Indiana professional health**
 23 **professions** licensing agency.

24 (b) The expenses of administering the fund shall be paid from the
 25 money in the fund. The fund consists of:

26 (1) compliance fees paid under IC 25-13-1-8 and section 10(a) of
 27 this chapter; and

28 (2) fines and civil penalties collected through investigations of
 29 violations of:

30 (A) IC 25-1-9 concerning individuals licensed under IC 25-13
 31 or this article;

32 (B) IC 25-13; and

33 (C) this article;

34 conducted by the board or the attorney general.

35 (c) The treasurer of state shall invest the money in the fund not
 36 currently needed to meet the obligations of the fund in the same
 37 manner as other public money may be invested.

38 (d) Money in the fund at the end of a state fiscal year does not revert
 39 to the state general fund.

40 (e) The attorney general and the **Indiana professional health**
 41 **professions** licensing agency shall enter into a memorandum of
 42 understanding to provide the attorney general with funds to conduct



1 investigations and pursue enforcement action against violators of:

- 2 (1) IC 25-1-9 if the individual is licensed under IC 25-13 or this
 3 article;
 4 (2) IC 25-13; and
 5 (3) this article.

6 (f) The attorney general and the ~~Indiana professional health~~
 7 **professions** licensing agency shall present any memorandum of
 8 understanding under subsection (e) annually to the board for review.

9 SECTION 107. IC 25-14.3-1-2, AS ADDED BY P.L.58-2014,
 10 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2019]: Sec. 2. "Agency" refers to the ~~Indiana professional~~
 12 **health professions** licensing agency established by ~~IC 25-1-5-3.~~
 13 **IC 16-19-18-2.**

14 SECTION 108. IC 25-14.5-1-3, AS AMENDED BY P.L.1-2006,
 15 SECTION 435, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2019]: Sec. 3. "Agency" refers to the ~~Indiana~~
 17 **professional health professions** licensing agency established by
 18 ~~IC 25-1-5-3.~~ **IC 16-19-18-2.**

19 SECTION 109. IC 25-15-9-14 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. The ~~Indiana~~
 21 **professional workforce** licensing agency shall collect all fees required
 22 under this article and gifts received by the board and at the end of each
 23 month shall do the following:

- 24 (1) Report amounts collected to the auditor of state.
 25 (2) Transfer amounts collected to the treasurer of state for deposit
 26 as follows:
 27 (A) An amount established by the board and not exceeding
 28 five dollars (\$5) per license issued under this article in the
 29 funeral service education fund.
 30 (B) Gifts dedicated to the funeral service education fund in
 31 that fund.
 32 (C) The remainder, after deducting the amounts described in
 33 clause (A) or (B), in the state general fund.

34 SECTION 110. IC 25-17.3-2-2, AS ADDED BY P.L.177-2009,
 35 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 2. "Agency" refers to the ~~Indiana professional~~
 37 **health professions** licensing agency established by ~~IC 25-1-5-3.~~
 38 **IC 16-19-18-2.**

39 SECTION 111. IC 25-19-1-5.1, AS AMENDED BY P.L.1-2006,
 40 SECTION 438, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2019]: Sec. 5.1. Notwithstanding section 5 of
 42 this chapter, the fee for a health facility administrator's license shall be



1 submitted to the ~~Indiana professional health professions~~ licensing
2 agency for it to transmit to the state treasurer.

3 SECTION 112. IC 25-19-1-6, AS AMENDED BY P.L.105-2008,
4 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2019]: Sec. 6. (a) The board shall elect from its membership
6 annually a chairperson and vice chairperson and shall adopt rules to
7 govern its proceedings.

8 (b) Each member of the board who is not a state employee is entitled
9 to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such
10 a member is also entitled to reimbursement for traveling expenses and
11 other expenses actually incurred in connection with the member's
12 duties, as provided in the state travel policies and procedures
13 established by the department of administration and approved by the
14 state budget agency.

15 (c) The ~~Indiana professional health professions~~ licensing agency
16 shall supply necessary personnel to assist the board in the performance
17 of its duties.

18 (d) Seven (7) members of the board constitute a quorum for
19 consideration of all matters before the board. A majority vote of the
20 quorum is required for action of the board.

21 SECTION 113. IC 25-19-1-9, AS AMENDED BY P.L.177-2015,
22 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2019]: Sec. 9. (a) Subject to IC 25-1-2-6(e), every holder of
24 a health facility administrator's license shall renew the license on the
25 date established by the **health professions** licensing agency under
26 IC 25-1-5-4. The renewals shall be granted as a matter of course, unless
27 the board finds, after due notice and hearing, that the applicant has
28 acted or failed to act in a manner or under circumstances that would
29 constitute grounds for nonrenewal, suspension, or revocation of a
30 license.

31 (b) Subject to IC 25-1-2-6(e), a health facility administrator's license
32 expires at midnight on the renewal date specified by the ~~Indiana~~
33 **professional health professions** licensing agency. Failure to renew a
34 license on or before the renewal date automatically renders the license
35 invalid.

36 (c) A person who fails to renew a license before it expires and
37 becomes invalid at midnight of the renewal date shall be reinstated by
38 the board if the person applies for reinstatement not later than three (3)
39 years after the expiration of the license and meets the requirements
40 under IC 25-1-8-6(c).

41 (d) The board may reinstate a person who applies to reinstate a
42 license under this section more than three (3) years after the date the



1 license expires and becomes invalid if the person applies to the board
 2 for reinstatement and meets the requirements for reinstatement
 3 established by the board under IC 25-1-8-6(d).

4 (e) The board may require an applicant under subsection (d) to
 5 appear before the board to explain the applicant's failure to renew.

6 SECTION 114. IC 25-20.2-2-2, AS AMENDED BY P.L.1-2006,
 7 SECTION 441, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. "Agency" refers to the ~~Indiana~~
 8 ~~professional workforce~~ licensing agency established by ~~IC 25-1-5-3.~~
 9 **IC 22-4.1-2-2.**

10 SECTION 115. IC 25-20.7-1-2, AS ADDED BY P.L.177-2009,
 11 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2019]: Sec. 2. "Agency" means the ~~Indiana professional~~
 13 ~~workforce~~ licensing agency established by ~~IC 25-1-5-3.~~ **IC 22-4.1-2-2.**

14 SECTION 116. IC 25-21.5-1-6, AS AMENDED BY P.L.1-2006,
 15 SECTION 443, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2019]: Sec. 6. "Licensing agency" refers to the
 17 ~~Indiana professional workforce~~ licensing agency established under
 18 ~~IC 25-1-5-3.~~ **IC 22-4.1-2-2.**

19 SECTION 117. IC 25-21.8-1-3, AS ADDED BY P.L.200-2007,
 20 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2019]: Sec. 3. "Licensing agency" means the ~~Indiana~~
 22 ~~professional workforce~~ licensing agency established under
 23 ~~IC 25-1-5-3.~~ **IC 22-4.1-2-2.**

24 SECTION 118. IC 25-21.8-2-6, AS ADDED BY P.L.200-2007,
 25 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2019]: Sec. 6. The board shall meet at least one (1) time each
 27 calendar year upon the call of the chairperson or the written request of
 28 a majority of the members of the board and with the advice and consent
 29 of the ~~executive~~ director of the ~~professional workforce~~
 30 licensing agency.

31 SECTION 119. IC 25-22.5-1-1.1, AS AMENDED BY P.L.82-2016,
 32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 1.1. As used in this article:

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

36 (1) Holding oneself out to the public as being engaged in:

37 (A) the diagnosis, treatment, correction, or prevention of any
 38 disease, ailment, defect, injury, infirmity, deformity, pain, or
 39 other condition of human beings;

40 (B) the suggestion, recommendation, or prescription or
 41 administration of any form of treatment, without limitation;
 42



- 1 (C) the performing of any kind of surgical operation upon a
 2 human being, including tattooing (except for providing a tattoo
 3 as defined in IC 35-45-21-4(a)), in which human tissue is cut,
 4 burned, or vaporized by the use of any mechanical means,
 5 laser, or ionizing radiation, or the penetration of the skin or
 6 body orifice by any means, for the intended palliation, relief,
 7 or cure; or
 8 (D) the prevention of any physical, mental, or functional
 9 ailment or defect of any person.
- 10 (2) The maintenance of an office or a place of business for the
 11 reception, examination, or treatment of persons suffering from
 12 disease, ailment, defect, injury, infirmity, deformity, pain, or other
 13 conditions of body or mind.
- 14 (3) Attaching the designation "doctor of medicine", "M.D.",
 15 "doctor of osteopathy", "D.O.", "osteopathic medical physician",
 16 "physician", "surgeon", or "physician and surgeon", either alone
 17 or in connection with other words, or any other words or
 18 abbreviations to a name, indicating or inducing others to believe
 19 that the person is engaged in the practice of medicine or
 20 osteopathic medicine (as defined in this section).
- 21 (4) Providing diagnostic or treatment services to a person in
 22 Indiana when the diagnostic or treatment services:
 23 (A) are transmitted through electronic communications; and
 24 (B) are on a regular, routine, and nonepisodic basis or under
 25 an oral or written agreement to regularly provide medical
 26 services.
- 27 In addition to the exceptions described in section 2 of this chapter,
 28 a nonresident physician who is located outside Indiana does not
 29 practice medicine or osteopathy in Indiana by providing a second
 30 opinion to a licensee or diagnostic or treatment services to a
 31 patient in Indiana following medical care originally provided to
 32 the patient while outside Indiana.
- 33 (b) "Board" refers to the medical licensing board of Indiana.
- 34 (c) "Diagnose or diagnosis" means to examine a patient, parts of a
 35 patient's body, substances taken or removed from a patient's body, or
 36 materials produced by a patient's body to determine the source or
 37 nature of a disease or other physical or mental condition, or to hold
 38 oneself out or represent that a person is a physician and is so examining
 39 a patient. It is not necessary that the examination be made in the
 40 presence of the patient; it may be made on information supplied either
 41 directly or indirectly by the patient.
- 42 (d) "Drug or medicine" means any medicine, compound, or



1 chemical or biological preparation intended for internal or external use
 2 of humans, and all substances intended to be used for the diagnosis,
 3 cure, mitigation, or prevention of diseases or abnormalities of humans,
 4 which are recognized in the latest editions published of the United
 5 States Pharmacopoeia or National Formulary, or otherwise established
 6 as a drug or medicine.

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

9 (f) "Prescribe or prescription" means to direct, order, or designate
 10 the use of or manner of using a drug, medicine, or treatment, by spoken
 11 or written words or other means.

12 (g) "Physician" means any person who holds the degree of doctor of
 13 medicine or doctor of osteopathy or its equivalent and who holds a
 14 valid unlimited license to practice medicine or osteopathic medicine in
 15 Indiana.

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

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

19 (1) is supervised by a physician;

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

22 (3) passed the examination administered by the National
 23 Commission on Certification of Physician Assistants (NCCPA)
 24 and maintains certification; and

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

27 (j) "Agency" refers to the ~~Indiana professional health professions~~
 28 ~~licensing agency under IC 25-1-5. established by IC 16-19-8-2.~~

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

31 SECTION 120. IC 25-22.5-2-8, AS AMENDED BY P.L.177-2015,
 32 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 8. (a) The board shall implement a program to
 34 investigate and assess a civil penalty of not more than one thousand
 35 dollars (\$1,000) against a physician licensed under this article for the
 36 following violations:

37 (1) Licensure renewal fraud.

38 (2) Improper termination of a physician and patient relationship.

39 (3) Practicing with an expired medical license.

40 (4) Providing office based anesthesia without the proper
 41 accreditation.

42 (5) Failure to perform duties required for issuing birth or death



- 1 certificates.
- 2 (6) Failure to disclose, or negligent omission of, documentation
- 3 requested for licensure renewal.
- 4 (7) Failure to complete or timely transmit a pregnancy termination
- 5 form under IC 16-34-2-5, with each failure constituting a separate
- 6 violation.
- 7 (b) An individual who is investigated by the board and found by the
- 8 board to have committed a violation specified in subsection (a) may
- 9 appeal the determination made by the board in accordance with
- 10 IC 4-21.5.
- 11 (c) In accordance with the federal Health Care Quality Improvement
- 12 Act (42 U.S.C. 11132), the board shall report a disciplinary board
- 13 action that is subject to reporting to the National Practitioner Data
- 14 Bank. However, the board may not report board action against a
- 15 physician for only an administrative penalty described in subsection
- 16 (a). The board's action concerning disciplinary action or an
- 17 administrative penalty described in subsection (a) shall be conducted
- 18 at a hearing that is open to the public.
- 19 (d) The physician compliance fund is established to provide funds
- 20 for administering and enforcing the investigation of violations specified
- 21 in subsection (a). The fund shall be administered by the ~~Indiana~~
- 22 **professional health professions** licensing agency.
- 23 (e) The expenses of administering the physician compliance fund
- 24 shall be paid from the money in the fund. The fund consists of penalties
- 25 collected through investigations and assessments by the board
- 26 concerning violations specified in subsection (a). Money in the fund at
- 27 the end of a state fiscal year does not revert to the state general fund.
- 28 SECTION 121. IC 25-22.5-6-3, AS AMENDED BY P.L.1-2006,
- 29 SECTION 450, IS AMENDED TO READ AS FOLLOWS
- 30 [EFFECTIVE JULY 1, 2019]: Sec. 3. The ~~executive~~ director and staff
- 31 of the agency, counsel, investigators, hearing officers, and the board
- 32 members are immune from civil liability for damages for conduct
- 33 within the scope and arising out of the performance of their duties.
- 34 SECTION 122. IC 25-23-1-11, AS AMENDED BY P.L.134-2008,
- 35 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2019]: Sec. 11. (a) Any person who applies to the board for a
- 37 license to practice as a registered nurse must:
- 38 (1) not have:
- 39 (A) been convicted of a crime that has a direct bearing on the
- 40 person's ability to practice competently; or
- 41 (B) committed an act that would constitute a ground for a
- 42 disciplinary sanction under IC 25-1-9;



- 1 (2) have completed:
- 2 (A) the prescribed curriculum and met the graduation
- 3 requirements of a state accredited program of registered
- 4 nursing that only accepts students who have a high school
- 5 diploma or its equivalent as determined by the board; or
- 6 (B) the prescribed curriculum and graduation requirements of
- 7 a nursing education program in a foreign country that is
- 8 substantially equivalent to a board approved program as
- 9 determined by the board. The board may by rule adopted under
- 10 IC 4-22-2 require an applicant under this subsection to
- 11 successfully complete an examination approved by the board
- 12 to measure the applicant's qualifications and background in the
- 13 practice of nursing and proficiency in the English language;
- 14 and
- 15 (3) be physically and mentally capable of and professionally
- 16 competent to safely engage in the practice of nursing as
- 17 determined by the board.
- 18 The board may not require a person to have a baccalaureate degree in
- 19 nursing as a prerequisite for licensure.
- 20 (b) The applicant must pass an examination in such subjects as the
- 21 board may determine.
- 22 (c) The board may issue by endorsement a license to practice as a
- 23 registered nurse to an applicant who has been licensed as a registered
- 24 nurse, by examination, under the laws of another state if the applicant
- 25 presents proof satisfactory to the board that, at the time that the
- 26 applicant applies for an Indiana license by endorsement, the applicant
- 27 holds a current license in another state and possesses credentials and
- 28 qualifications that are substantially equivalent to requirements in
- 29 Indiana for licensure by examination. The board may specify by rule
- 30 what constitutes substantial equivalence under this subsection.
- 31 (d) The board may issue by endorsement a license to practice as a
- 32 registered nurse to an applicant who:
- 33 (1) has completed the English version of the:
- 34 (A) Canadian Nurse Association Testing Service Examination
- 35 (CNAT); or
- 36 (B) Canadian Registered Nurse Examination (CRNE);
- 37 (2) achieved the passing score required on the examination at the
- 38 time the examination was taken;
- 39 (3) is currently licensed in a Canadian province or in another
- 40 state; and
- 41 (4) meets the other requirements under this section.
- 42 (e) Each applicant for examination and registration to practice as a



1 registered nurse shall pay a fee set by the board, a part of which must
 2 be used for the rehabilitation of impaired registered nurses and
 3 impaired licensed practical nurses. Payment of the fee or fees shall be
 4 made by the applicant prior to the date of examination. The lesser of
 5 the following amounts from fees collected under this subsection shall
 6 be deposited in the impaired nurses account of the state general fund
 7 established by section 34 of this chapter:

8 (1) Twenty-five percent (25%) of the license application fee per
 9 license applied for under this section.

10 (2) The cost per license to operate the impaired nurses program,
 11 as determined by the ~~Indiana professional health professions~~
 12 licensing agency.

13 (f) Any person who holds a license to practice as a registered nurse
 14 in:

15 (1) Indiana; or

16 (2) a party state (as defined in IC 25-23.3-2-11);

17 may use the title "Registered Nurse" and the abbreviation "R.N.". No
 18 other person shall practice or advertise as or assume the title of
 19 registered nurse or use the abbreviation of "R.N." or any other words,
 20 letters, signs, or figures to indicate that the person using same is a
 21 registered nurse.

22 SECTION 123. IC 25-23-1-12, AS AMENDED BY P.L.134-2008,
 23 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2019]: Sec. 12. (a) A person who applies to the board for a
 25 license to practice as a licensed practical nurse must:

26 (1) not have been convicted of:

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

29 (B) a crime that has a direct bearing on the person's ability to
 30 practice competently;

31 (2) have completed:

32 (A) the prescribed curriculum and met the graduation
 33 requirements of a state accredited program of practical nursing
 34 that only accepts students who have a high school diploma or
 35 its equivalent, as determined by the board; or

36 (B) the prescribed curriculum and graduation requirements of
 37 a nursing education program in a foreign country that is
 38 substantially equivalent to a board approved program as
 39 determined by the board. The board may by rule adopted under
 40 IC 4-22-2 require an applicant under this subsection to
 41 successfully complete an examination approved by the board
 42 to measure the applicant's qualifications and background in the



- 1 practice of nursing and proficiency in the English language;
 2 and
 3 (3) be physically and mentally capable of, and professionally
 4 competent to, safely engage in the practice of practical nursing as
 5 determined by the board.
- 6 (b) The applicant must pass an examination in such subjects as the
 7 board may determine.
- 8 (c) The board may issue by endorsement a license to practice as a
 9 licensed practical nurse to an applicant who has been licensed as a
 10 licensed practical nurse, by examination, under the laws of another
 11 state if the applicant presents proof satisfactory to the board that, at the
 12 time of application for an Indiana license by endorsement, the applicant
 13 possesses credentials and qualifications that are substantially
 14 equivalent to requirements in Indiana for licensure by examination. The
 15 board may specify by rule what shall constitute substantial equivalence
 16 under this subsection.
- 17 (d) Each applicant for examination and registration to practice as a
 18 practical nurse shall pay a fee set by the board, a part of which must be
 19 used for the rehabilitation of impaired registered nurses and impaired
 20 licensed practical nurses. Payment of the fees shall be made by the
 21 applicant before the date of examination. The lesser of the following
 22 amounts from fees collected under this subsection shall be deposited
 23 in the impaired nurses account of the state general fund established by
 24 section 34 of this chapter:
- 25 (1) Twenty-five percent (25%) of the license application fee per
 26 license applied for under this section.
- 27 (2) The cost per license to operate the impaired nurses program,
 28 as determined by the **Indiana professional health professions**
 29 **licensing agency**.
- 30 (e) Any person who holds a license to practice as a licensed
 31 practical nurse in:
- 32 (1) Indiana; or
 33 (2) a party state (as defined in IC 25-23.3-2-11);
 34 may use the title "Licensed Practical Nurse" and the abbreviation
 35 "L.P.N.". No other person shall practice or advertise as or assume the
 36 title of licensed practical nurse or use the abbreviation of "L.P.N." or
 37 any other words, letters, signs, or figures to indicate that the person
 38 using them is a licensed practical nurse.
- 39 SECTION 124. IC 25-23-1-16.1, AS AMENDED BY P.L.177-2015,
 40 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2019]: Sec. 16.1. (a) Subject to IC 25-1-2-6(e), a license to
 42 practice as a registered nurse expires on October 31 in each



1 odd-numbered year. Failure to renew the license on or before the
 2 expiration date will automatically render the license invalid without
 3 any action by the board.

4 (b) Subject to IC 25-1-2-6(e), a license to practice as a licensed
 5 practical nurse expires on October 31 in each even-numbered year.
 6 Failure to renew the license on or before the expiration date will
 7 automatically render the license invalid without any action by the
 8 board.

9 (c) The procedures and fee for renewal shall be set by the board.

10 (d) At the time of license renewal, each registered nurse and each
 11 licensed practical nurse shall pay a renewal fee, a portion of which
 12 shall be for the rehabilitation of impaired registered nurses and
 13 impaired licensed practical nurses. The lesser of the following amounts
 14 from fees collected under this subsection shall be deposited in the
 15 impaired nurses account of the state general fund established by section
 16 34 of this chapter:

17 (1) Twenty-five percent (25%) of the license renewal fee per
 18 license renewed under this section.

19 (2) The cost per license to operate the impaired nurses program,
 20 as determined by the **Indiana professional health professions**
 21 licensing agency.

22 SECTION 125. IC 25-23-1-19.7, AS AMENDED BY P.L. 129-2018,
 23 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2019]: Sec. 19.7. (a) This subsection applies to an applicant
 25 for renewal who has never received a renewal of prescriptive authority
 26 under section 19.5 of this chapter and whose prescriptive authority has
 27 never lapsed. If the applicant was initially granted prescriptive
 28 authority:

29 (1) less than twelve (12) months before the expiration date of the
 30 prescriptive authority, no continuing education is required; or

31 (2) at least twelve (12) months before the expiration date of the
 32 prescriptive authority, the applicant shall, subject to IC 25-1-4-3,
 33 attest to the board that the applicant has successfully completed
 34 at least fifteen (15) contact hours of continuing education. The
 35 hours must:

36 (A) be completed after the prescriptive authority was granted
 37 and before the expiration of the prescriptive authority;

38 (B) include at least four (4) contact hours of pharmacology;
 39 and

40 (C) be approved by a nationally approved sponsor of
 41 continuing education for nurses, approved by the board, and
 42 listed by the **Indiana professional health professions** licensing



- 1 agency as approved hours.
- 2 (b) This subsection applies to an applicant for renewal of
 3 prescriptive authority under section 19.5 of this chapter who is not
 4 described in subsection (a). The applicant shall, subject to IC 25-1-4-3,
 5 attest to the board that the applicant has successfully completed at least
 6 thirty (30) contact hours of continuing education. The hours must:
- 7 (1) be completed within the two (2) years immediately preceding
 8 the renewal;
 - 9 (2) include at least eight (8) contact hours of pharmacology; and
 - 10 (3) be approved by a nationally approved sponsor of continuing
 11 education for nurses, be approved by the board, and be listed by
 12 the **Indiana professional health professions** licensing agency as
 13 approved hours.
- 14 (c) An applicant for renewal of prescriptive authority under this
 15 section must maintain national certification or certification
 16 equivalence, as required by section 19.5(d) of this chapter.
- 17 SECTION 126. IC 25-23-1-19.8, AS AMENDED BY P.L. 129-2018,
 18 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 19.8. (a) Before December 31 of an
 20 even-numbered year, the **Indiana professional health professions**
 21 licensing agency or the agency's designee shall randomly audit at least
 22 one percent (1%) but not more than ten percent (10%) of the practice
 23 agreements of advanced practice registered nurses with authority to
 24 prescribe legend drugs under section 19.5 of this chapter to determine
 25 whether the practice agreement meets the requirements of this chapter
 26 or rules adopted by the board.
- 27 (b) The **Indiana professional health professions** licensing agency
 28 shall establish an audit procedure, which may include the following:
- 29 (1) Requiring the advanced practice registered nurse to provide
 30 the **health professions licensing** agency with a copy of
 31 verification of attendance at or completion of a continuing
 32 education course or program the advanced practice registered
 33 nurse attended during the previous two (2) years.
 - 34 (2) Requiring the advanced practice registered nurse and the
 35 licensed practitioner who have entered into a practice agreement
 36 to submit information on a form prescribed by the **health**
 37 **professions licensing** agency that must include a sworn statement
 38 signed by the advanced practice registered nurse and the licensed
 39 practitioner that the parties are operating within the terms of the
 40 practice agreement and the requirements under this chapter or
 41 rules adopted by the board.
 - 42 (3) Reviewing patient health records and other patient information



1 at the practice location or by requiring the submission of accurate
 2 copies to determine if the parties are operating within the terms
 3 of the practice agreement and the requirements under this chapter
 4 or rules adopted by the board.

5 (4) After a reasonable determination that the advanced practice
 6 registered nurse and the licensed practitioner who have entered
 7 into a practice agreement are not operating within the terms of the
 8 practice agreement, requiring the parties to appear before the
 9 **health professions licensing** agency or the agency's designee to
 10 provide evidence of compliance with the practice agreement.

11 (c) Not more than sixty (60) days after the completion of the audit
 12 required in subsection (a), the **Indiana professional health professions**
 13 **licensing** agency shall provide the board with the following:

14 (1) A summary of the information obtained in the audit.

15 (2) A statement regarding whether an advanced practice
 16 registered nurse and a licensed practitioner who have entered into
 17 a practice agreement that is audited under subsection (a) are
 18 operating within the terms of the practice agreement.

19 The **health professions licensing** agency shall also provide a copy of
 20 the information described in this subsection to the board that regulates
 21 the licensed practitioner.

22 (d) The **Indiana professional health professions** licensing agency
 23 may cause to be served upon the advanced practice registered nurse an
 24 order to show cause to the board as to why the board should not impose
 25 disciplinary sanctions under IC 25-1-9-9 on the advanced practice
 26 registered nurse for the advanced practice registered nurse's failure to
 27 comply with:

28 (1) an audit conducted under this section; or

29 (2) the requirements of a practice agreement under this chapter.

30 (e) Except for a violation concerning continuing education
 31 requirements under IC 25-1-4, the board shall hold a hearing in
 32 accordance with IC 4-21.5 and state the date, time, and location of the
 33 hearing in the order served under subsection (d).

34 (f) The board that regulates the licensed practitioner may cause to
 35 be served upon the licensed practitioner an order to show cause to the
 36 board as to why the board should not impose disciplinary sanctions
 37 under IC 25-1-9-9 on the licensed practitioner for the licensed
 38 practitioner's failure to comply with:

39 (1) an audit conducted under this section; or

40 (2) the requirements of a practice agreement under this chapter.

41 (g) The board that regulates the licensed practitioner shall hold a
 42 hearing in accordance with IC 4-21.5 and state the date, time, and



1 location of the hearing in the order served under subsection (f).

2 (h) An order to show cause issued under this section must comply
3 with the notice requirements of IC 4-21.5.

4 (i) The licensed practitioner may divulge health records and other
5 patient information to the ~~Indiana professional health professions~~
6 licensing agency or the agency's designee. The licensed practitioner is
7 immune from civil liability for any action based upon release of the
8 patient information under this section.

9 SECTION 127. IC 25-23-1-34, AS AMENDED BY P.L.74-2013,
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2019]: Sec. 34. (a) The impaired nurses account is established
12 within the state general fund for the purposes of providing money for:

- 13 (1) providing rehabilitation of impaired registered nurses or
14 licensed practical nurses under this article;
15 (2) funding the education compliance officer provided for under
16 section 21.5 of this chapter; and
17 (3) carrying out any of the duties of the board.

18 The account shall be administered by the ~~Indiana professional health~~
19 **professions** licensing agency.

20 (b) Expenses of administering the account shall be paid from money
21 in the account. The account consists of the following:

- 22 (1) Funds collected for the rehabilitation of impaired registered
23 nurses and impaired licensed practical nurses under sections
24 11(e), 12(d), and 16.1(d) of this chapter.
25 (2) Funds collected under section 31(c)(2) of this chapter.
26 (3) Fines collected from registered nurses or licensed practical
27 nurses under IC 25-1-9-9(a)(6).

28 (c) The treasurer of state shall invest the money in the account not
29 currently needed to meet the obligations of the account in the same
30 manner as other public money may be invested.

31 (d) Money in the account is appropriated to the board for the
32 purposes stated in subsection (a).

33 (e) The amount paid from the impaired nurses account in a state
34 fiscal year for the purposes stated in subsection (a)(2) and (a)(3) may
35 not exceed twelve and one-half percent (12.5%) of the average yearly
36 revenue of the impaired nurses account for the two (2) preceding state
37 fiscal years.

38 SECTION 128. IC 25-23.4-1-7, AS ADDED BY P.L.232-2013,
39 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2019]: Sec. 7. "Licensing agency" refers to the ~~Indiana~~
41 **professional health professions** licensing agency.

42 SECTION 129. IC 25-23.4-2-4, AS ADDED BY P.L.232-2013,



1 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 4. (a) The committee shall meet at least one (1)
3 time each year at the call of the chairperson. However, the first meeting
4 of the committee shall be called by the licensing agency.

5 (b) With the approval of the ~~executive~~ director of the licensing
6 agency, the committee may meet upon:

7 (1) the call of the chairperson; or

8 (2) the request of a majority of the members of the committee.

9 (c) Five (5) members of the committee constitute a quorum.

10 (d) The affirmative vote of five (5) members of the committee is
11 required for the committee to take action.

12 SECTION 130. IC 25-23.5-5-9, AS AMENDED BY P.L.197-2011,
13 SECTION 102, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) A license issued by the
15 committee expires on a date established by the ~~Indiana professional~~
16 **health professions** licensing agency under IC 25-1-5-4 in the next
17 even-numbered year following the year in which the license was issued.

18 (b) A person may renew a license by paying a renewal fee on or
19 before the expiration date of the license.

20 (c) If a person fails to pay a renewal fee on or before the expiration
21 date of a license, the license becomes invalid.

22 SECTION 131. IC 25-23.7-2-6, AS AMENDED BY P.L.1-2006,
23 SECTION 458, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2019]: Sec. 6. "Licensing agency" refers to the
25 ~~Indiana professional workforce~~ licensing agency established by
26 ~~IC 25-1-5-3; IC 22-4.1-2-2.~~

27 SECTION 132. IC 25-23.7-6-1, AS AMENDED BY P.L.177-2015,
28 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2019]: Sec. 1. Notwithstanding IC 25-1-2, but subject to
30 IC 25-1-2-6(e), the holder of a license issued under IC 25-23.7-5 must
31 renew the license and pay the required renewal fee every four (4) years
32 after it is issued on or before the date established by the ~~Indiana~~
33 **professional workforce** licensing agency under IC 25-1-6-4.

34 SECTION 133. IC 25-24-1-14, AS AMENDED BY P.L.177-2015,
35 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2019]: Sec. 14. (a) In each even-numbered year, the ~~Indiana~~
37 **professional health professions** licensing agency shall issue a ninety
38 (90) day notice of expiration and a license renewal application in
39 accordance with IC 25-1-2-6 to each optometrist licensed in Indiana.
40 The application shall be mailed to the last known address of the
41 optometrist.

42 (b) The payment of the renewal fee must be made on or before the



1 date established by the **health professions** licensing agency under
 2 IC 25-1-5-4. Subject to IC 25-1-2-6(e), the applicant's license expires
 3 and becomes invalid if the applicant has not paid the renewal fee by the
 4 date established by the **health professions** licensing agency.

5 (c) The license shall be reinstated by the board not later than three
 6 (3) years after its expiration if the applicant for reinstatement meets the
 7 requirements under IC 25-1-8-6(c).

8 (d) Reinstatement of an expired license after the expiration of the
 9 three (3) year period provided in subsection (c) is dependent upon the
 10 applicant satisfying the requirements for reinstatement under
 11 IC 25-1-8-6(d).

12 (e) The board may classify a license as inactive if the board receives
 13 written notification from a licensee stating that the licensee will not
 14 maintain an office or practice optometry in Indiana. The renewal fee for
 15 an inactive license is one-half (1/2) the license renewal fee set by the
 16 board under section 1 of this chapter.

17 (f) The holder of an inactive license is not required to fulfill
 18 continuing education requirements set by the board. The board may
 19 issue a license to the holder of an inactive license if the applicant:

20 (1) pays the renewal fee set by the board under section 1 of this
 21 chapter;

22 (2) pays the reinstatement fee set by the board under section 1 of
 23 this chapter; and

24 (3) subject to IC 25-1-4-3, attests that the applicant obtained the
 25 continuing education required by the board under section 1 of this
 26 chapter for each year, or portion of a year during which the
 27 applicant's license has been classified as inactive.

28 SECTION 134. IC 25-24-2-3, AS AMENDED BY P.L.1-2006,
 29 SECTION 460, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2019]: Sec. 3. In addition to the biennial
 31 licensure fee provided for by IC 25-24-1-1, each licensed optometrist,
 32 at the time of payment of the biennial licensure fee each
 33 even-numbered year, shall pay to the **Indiana professional health**
 34 **professions** licensing agency an additional fee of thirty-four dollars
 35 (\$34), which shall be deposited in an optometry school account of the
 36 state general fund, and all such fees so deposited shall, before the
 37 following July 2, be paid to Indiana University to be used by it for the
 38 advancement of optometrical research and the maintenance and support
 39 of the department in which the science of optometry is taught at the
 40 university. A sufficient amount to pay the same is appropriated
 41 annually out of such account in the general fund of the state treasury
 42 not otherwise appropriated.



1 SECTION 135. IC 25-26-13-5, AS AMENDED BY P.L.1-2006,
2 SECTION 461, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The ~~executive~~ director shall
4 keep a record of the proceedings of the board. The record shall contain
5 the names and addresses of all persons who apply to the board for a
6 license or permit and the action taken on each.

7 (b) The board shall hire and supervise a sufficient number of
8 inspector-investigators to enforce the controlled substances law
9 (IC 35-48). Inspector-investigators hired by the board are employees of
10 the ~~Indiana professional health professions~~ licensing agency.

11 SECTION 136. IC 25-26-13-10, AS AMENDED BY P.L.1-2007,
12 SECTION 179, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) An applicant for registration
14 as a pharmacist intern must furnish proof satisfactory to the board that
15 the applicant:

16 (1) is actively enrolled in a school of pharmacy accredited by the
17 American Council of Pharmaceutical Education;

18 (2) has obtained the Foreign Pharmacy Graduate Examination
19 Committee Certificate; or

20 (3) is a qualified applicant awaiting the examination for licensure
21 as a pharmacist.

22 (b) A registration issued under subsection (a) is valid for one (1)
23 year and may be renewed by the board for an additional year until the
24 expiration date established by the ~~Indiana professional health~~
25 **professions** licensing agency under IC 25-1-5-4.

26 (c) An application for registration or renewal must be accompanied
27 by the appropriate fee and one (1) of the following:

28 (1) Proof of having obtained the Foreign Pharmacy Graduate
29 Examination Committee Certificate.

30 (2) Proof of active enrollment in a school of pharmacy accredited
31 by the American Council of Pharmaceutical Education.

32 SECTION 137. IC 25-26-13-23, AS AMENDED BY P.L.1-2006,
33 SECTION 463, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2019]: Sec. 23. (a) The board shall establish
35 appropriate fees to carry out this chapter.

36 (b) All fees are nonrefundable. A receipt shall be issued for all fees
37 and fines submitted.

38 (c) All fees collected under this section shall be transferred to the
39 treasurer of state and deposited in the general fund of the state.

40 (d) The board shall adopt rules to establish fines for violation of an
41 article listed in IC 25-26 or a rule adopted under IC 25-26-13-4,
42 IC 25-26-14-13 or IC 35-48-3-1.



1 (e) A fine collected by the board shall be transferred to the treasurer
2 of state and deposited in the state general fund.

3 (f) No fine established under subsection (d) shall be less than
4 twenty-five dollars (\$25).

5 (g) At the time of license renewal, each licensed pharmacist shall
6 pay a renewal fee, a part of which shall be used for the rehabilitation of
7 impaired pharmacists. Notwithstanding subsection (c), the lesser of the
8 following amounts from fees collected under this subsection shall be
9 deposited in the impaired pharmacists account of the state general fund
10 established by section 30 of this chapter:

11 (1) Sixteen percent (16%) of the license renewal fee for each
12 license renewed under this section.

13 (2) The amount per license needed to operate the impaired
14 pharmacists program, as determined by the ~~Indiana professional~~
15 **health professions** licensing agency.

16 SECTION 138. IC 25-26-13-30, AS AMENDED BY P.L.1-2006,
17 SECTION 464, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2019]: Sec. 30. (a) The impaired pharmacists
19 account is established within the state general fund to provide money
20 for the rehabilitation of impaired pharmacists under this article. The
21 account shall be administered by the ~~Indiana professional~~ **health**
22 **professions** licensing agency.

23 (b) Expenses of administering the account shall be paid from money
24 in the account. The account consists of money collected under section
25 4.5(b) of this chapter.

26 (c) The treasurer of state shall invest the money in the account not
27 currently needed to meet the obligations of the account in the same
28 manner as other public money may be invested. Money remaining in
29 the account at the end of a state fiscal year does not revert to the state
30 general fund.

31 (d) There is appropriated to the board from the account an amount
32 sufficient to carry out the purpose described in subsection (a).

33 SECTION 139. IC 25-26-14-21, AS AMENDED BY P.L.1-2006,
34 SECTION 465, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2019]: Sec. 21. (a) A wholesale drug distributor
36 license expires at midnight of the renewal date specified by the ~~Indiana~~
37 **professional health professions** licensing agency under IC 25-1-5-4 in
38 each even-numbered year.

39 (b) The board shall mail renewal application forms to each licensed
40 wholesale drug distributor before the first day of the month before the
41 month in which the license expires. If an application for renewal has
42 not been filed and the required fee paid before the license expiration



1 date, the wholesale drug distributor license shall lapse and become
2 void.

3 (c) A lapsed license may be reinstated only by meeting the
4 requirements under IC 25-1-8-6.

5 (d) A wholesale drug distributor may not be open for business after
6 the license has lapsed, until the renewal is completed.

7 SECTION 140. IC 25-26-14-31, AS ADDED BY P.L.180-2018,
8 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2019]: Sec. 31. (a) A third party logistics provider license
10 expires at midnight of the renewal date specified by the **Indiana**
11 **professional health professions** licensing agency under IC 25-1-5-4 in
12 each even-numbered year.

13 (b) If an application for renewal has not been filed and the required
14 fee paid before the license expiration date, the third party logistics
15 provider's license shall lapse and become void.

16 (c) A third party logistics provider shall provide the third party
17 logistics provider's latest inspection report, dated not more than two (2)
18 years from the date of renewal, issued by:

19 (1) the licensing authority in the state where the third party
20 logistics provider is located; or

21 (2) a third party inspection provider.

22 SECTION 141. IC 25-26-19-7, AS AMENDED BY P.L.58-2014,
23 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2019]: Sec. 7. (a) A pharmacy technician license expires on
25 a date set by the **Indiana professional health professions** licensing
26 agency in each even-numbered year.

27 (b) An application for renewal of a pharmacy technician license
28 must be accompanied by the appropriate fee.

29 (c) If a person fails to renew a pharmacy technician license, the
30 license may be reinstated by meeting the requirements under
31 IC 25-1-8-6.

32 (d) The board may require a person who applies for a license under
33 subsection (c) to appear before the board and explain the reason why
34 the person failed to renew a pharmacy technician license.

35 SECTION 142. IC 25-27-1-8, AS AMENDED BY P.L.177-2015,
36 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2019]: Sec. 8. (a) The committee shall license as a physical
38 therapist each applicant who:

39 (1) successfully passes the examination provided for in this
40 chapter; and

41 (2) is otherwise qualified as required by this chapter.

42 (b) Subject to IC 25-1-2-6(e), all licenses and certificates issued by



1 the committee expire on the date of each even-numbered year specified
 2 by the **Indiana professional health professions** licensing agency under
 3 IC 25-1-5-4. A renewal fee established by the board after consideration
 4 of any recommendation of the committee must be paid biennially on or
 5 before the date specified by the **Indiana professional health**
 6 **professions** licensing agency, and if not paid on or before that date, the
 7 license or certificate becomes invalid, without further action by the
 8 committee. A penalty fee set by the board after consideration of any
 9 recommendation of the committee shall be in effect for any
 10 reinstatement within three (3) years from the original date of
 11 expiration.

12 (c) An expired license or certificate may be reinstated by the
 13 committee up to three (3) years after the expiration date if the holder
 14 of the expired license or certificate:

- 15 (1) pays a penalty fee set by the board after consideration of any
 16 recommendation of the committee; and
- 17 (2) pays the renewal fees for the biennium.

18 If more than three (3) years have elapsed since expiration of the license
 19 or certificate, the holder may be reexamined by the committee. The
 20 board may adopt, after consideration of any recommendation of the
 21 committee, rules setting requirements for reinstatement of an expired
 22 license.

23 (d) The committee may issue not more than two (2) temporary
 24 permits to a physical therapist or physical therapist's assistant. A person
 25 with a temporary permit issued under this subsection may practice
 26 physical therapy only under the direct supervision of a licensed
 27 physical therapist who is responsible for the patient. A temporary
 28 permit may be issued to any person who has paid a fee set by the board
 29 after consideration of any recommendation of the committee and who:

- 30 (1) has a valid license from another state to practice physical
 31 therapy, or has a valid certificate from another state to act as a
 32 physical therapist's assistant; or
- 33 (2) has applied for and been approved by the committee to take
 34 the examination for licensure or certification, has not previously
 35 failed the licensure or certification examination in Indiana or any
 36 other state, and has:
 - 37 (A) graduated from a school or program of physical therapy;
 38 or
 - 39 (B) graduated from a two (2) year college level education
 40 program for physical therapist's assistants that meets the
 41 standards set by the committee.

42 The applicant must take the examination within the time limits set by



- 1 the committee.
- 2 (e) A temporary permit issued under subsection (d) expires when
- 3 the applicant becomes licensed or certified, or approved for
- 4 endorsement licensing or certification by the committee, or when the
- 5 application for licensure has been disapproved, whichever occurs first.
- 6 An application for licensure or certification is disapproved and any
- 7 temporary permit based upon the application expires when the
- 8 applicant fails to take the examination within the time limits set by the
- 9 committee or when the committee receives notification of the
- 10 applicant's failure to pass any required examination in Indiana or any
- 11 other state.
- 12 (f) A holder of a license or certificate under this chapter who intends
- 13 to retire from practice shall notify the committee in writing. Upon
- 14 receipt of the notice, the committee shall record the fact that the holder
- 15 of the license or certificate is retired and release the person from
- 16 further payment of renewal fees. If a holder of the license or certificate
- 17 surrenders a license or certificate, reinstatement of the license or
- 18 certificate may be considered by the committee upon written request.
- 19 The committee may impose conditions it considers appropriate to the
- 20 surrender or reinstatement of a surrendered license or certificate. A
- 21 license or certificate may not be surrendered to the committee without
- 22 the written consent of the committee if any disciplinary proceedings are
- 23 pending against a holder of a license or certificate under this chapter.
- 24 SECTION 143. IC 25-27.5-3-5, AS AMENDED BY P.L.197-2011,
- 25 SECTION 119, IS AMENDED TO READ AS FOLLOWS
- 26 [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The committee shall have
- 27 regular meetings, called upon the request of the president or by a
- 28 majority of the members appointed to the committee, and upon the
- 29 advice and consent of the ~~executive~~ director of the ~~Indiana professional~~
- 30 **health professions** licensing agency, for the transaction of business
- 31 that comes before the committee under this article. At the first
- 32 committee meeting of each calendar year, the committee shall elect a
- 33 president and any other officer considered necessary by the committee
- 34 by an affirmative vote of a majority of the members appointed to the
- 35 committee.
- 36 (b) Three (3) members of the committee constitute a quorum. An
- 37 affirmative vote of a majority of the members appointed to the
- 38 committee is required for the committee to take action on any business.
- 39 (c) The committee shall do the following:
- 40 (1) Consider the qualifications of individuals who apply for an
- 41 initial license under this article.
- 42 (2) Approve or reject license applications.



1 (3) Approve or reject renewal applications.

2 (4) Propose rules to the board concerning the competent practice
3 of physician assistants and the administration of this article.

4 (5) Recommend to the board the amounts of fees required under
5 this article.

6 SECTION 144. IC 25-27.5-4-5, AS AMENDED BY P.L.177-2015,
7 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2019]: Sec. 5. (a) Subject to IC 25-1-2-6(e), a license issued
9 by the committee expires on a date established by the ~~Indiana~~
10 **professional health professions** licensing agency under IC 25-1-5-4 in
11 the next even-numbered year following the year in which the license
12 was issued.

13 (b) An individual may renew a license by paying a renewal fee on
14 or before the expiration date of the license.

15 (c) If an individual fails to pay a renewal fee on or before the
16 expiration date of a license, the license becomes invalid and must be
17 returned to the committee.

18 SECTION 145. IC 25-28.5-1-2, AS AMENDED BY P.L.1-2006,
19 SECTION 469, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter:

21 (1) "Plumbing" means the practice of and the materials and fixtures
22 used in the installation, maintenance, extension, and alteration of all
23 piping, fixtures, appliances, and appurtenances in connection with any
24 of the following:

25 (A) Sanitary drainage or storm drainage facilities, the venting
26 system, and the public or private water supply systems, within or
27 adjacent to any building or structure.

28 (B) The practice and materials used in the installation,
29 maintenance, extension, or alteration of the stormwater, liquid
30 waste, or sewerage, and water supply systems of any premises to
31 the private property line or to their connection with any point of
32 public disposal or other acceptable terminal.

33 The term does not include the planning, designing, and installation of
34 sanitation and water systems in vehicles commonly known as mobile
35 homes, the drilling of wells, the installation of pumps, pressure tanks,
36 and piping incidental to the drilling or repair of a well system, the sale
37 or installation of water softening equipment and apparatuses and
38 services of the same, or the business of manufacturing or selling
39 plumbing fixtures; appliances, equipment, or hardware; the installation
40 of automatic sprinklers, the overhead or underground water supplies or
41 standpipes when connected to an automatic sprinkler system or to their
42 related devices or appurtenances connecting thereto; nor does the term



1 include the work referred to in section 32(i) of this chapter; nor does
 2 the term include the planning or design of water supply or sewage
 3 systems which would ordinarily be performed as "the practice of
 4 engineering", as defined in IC 25-3-1-1, or the "practice of architecture",
 5 as defined in IC 25-4-1.

6 (2) "Plumbing contractor" means any person who, for compensation,
 7 undertakes to, or submits a bid to, or does himself or herself or by
 8 others, construct, repair, alter, remodel, add to, subtract from, or
 9 improve plumbing and who is responsible for substantially all the
 10 plumbing within the entire project, or one who fabricates units or
 11 plumbing substantially completed and ready for installation.

12 (3) "Journeyman plumber" means a person who engages or offers to
 13 engage in, as an occupation or trade, the construction, installation,
 14 alteration, maintenance, repair, remodeling, or removal and
 15 replacement of plumbing under the supervision, direction, and
 16 responsibility of a licensed plumbing contractor.

17 (4) "Maintenance man" means a person who is employed on a
 18 permanent basis to keep the premises of a business establishment in
 19 good repair.

20 (5) "Contracting" means, except as exempted in this chapter,
 21 engaging in a business as a contractor.

22 (6) "Person" means a natural person, except in the case of a
 23 plumbing contractor, in which case it may mean the partners or
 24 members of a partnership, limited partnership, or any form of
 25 unincorporated enterprise, owned by two (2) or more persons, and as
 26 applied to "corporation" in addition to the corporate entity means the
 27 officers or directors and employees thereof.

28 (7) "Commission" means the Indiana plumbing commission created
 29 by this chapter.

30 (8) "License" means a certificate issued by the commission
 31 established by this chapter which confers upon the holder the privilege
 32 to act as a plumbing contractor or a journeyman plumber as defined in
 33 this chapter.

34 (9) "Farmstead" means a farm dwelling together with other
 35 buildings, structures, equipment, piping, and other plumbing materials
 36 and supplies, located upon a parcel of real estate used primarily for
 37 agricultural purposes located outside the corporate limits of a
 38 municipality and not connected to a public water supply.

39 (10) "Licensing agency" means the ~~Indiana professional workforce~~
 40 licensing agency established under ~~IC 25-1-5-3~~. **IC 22-4.1-2-2.**

41 (11) "Apprentice plumber" means an individual who:

42 (A) is learning the plumbing trade; and



- 1 (B) is under the direction and immediate supervision of a licensed
 2 plumbing contractor or a licensed journeyman plumber.
- 3 (12) "Registration" means the granting of a certificate by the
 4 commission that authorizes an individual to act as an apprentice
 5 plumber.
- 6 SECTION 146. IC 25-29-1-9.5, AS ADDED BY P.L.1-2006,
 7 SECTION 470, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2019]: Sec. 9.5. "Agency" refers to the ~~Indiana~~
 9 ~~professional health professions~~ licensing agency established by
 10 ~~IC 25-1-5-3. IC 16-19-18-2.~~
- 11 SECTION 147. IC 25-30-1-2, AS AMENDED BY P.L.3-2008,
 12 SECTION 196, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter:
- 14 (1) "Person" means an individual, a firm, a company, an
 15 association, an organization, a partnership, or a corporation.
- 16 (2) "Licensee" means a person licensed under this chapter.
- 17 (3) "Private investigator firm" means the business of:
- 18 (A) making, for hire or reward, investigation or investigations
 19 for the purpose of obtaining information with reference to:
- 20 (i) a crime against the state or wrongs done or threatened;
- 21 (ii) the habits, conduct, movements, whereabouts,
 22 association, transactions, reputation, or character of a
 23 person;
- 24 (iii) credibility of witnesses or other persons;
- 25 (iv) the location or recovery of lost, abandoned, unclaimed,
 26 or stolen property;
- 27 (v) the causes, origin, or responsibility for fires or accidents
 28 or injuries to real or personal property; or
- 29 (vi) the truth or falsity of a statement or representation;
- 30 (B) securing, for hire or reward, evidence to be used for
 31 authorized investigation committees or boards of award or
 32 arbitration or in the trial of civil or criminal cases; or
- 33 (C) providing, for hire or reward, undercover investigators to
 34 detect and prevent fraud and theft in the workplace or
 35 elsewhere.
- 36 (4) "Board" refers to the private investigator and security guard
 37 licensing board established under section 5.2 of this chapter.
- 38 (5) "Licensing agency" refers to the ~~Indiana professional~~
 39 ~~workforce~~ licensing agency established ~~under IC 25-1-5-3. by~~
 40 ~~IC 22-4.1-2-2.~~
- 41 (6) "Business entity" means a firm, a company, an association, an
 42 organization, a partnership, or a corporation.



1 SECTION 148. IC 25-31-1-2, AS AMENDED BY P.L.78-2017,
2 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 2. As used in this chapter:

4 (a) "Board" means the state board of registration for professional
5 engineers.

6 (b) "Professional engineer" means an individual who, by reason of
7 that individual's special knowledge of the mathematical and physical
8 sciences and the principles and methods of engineering analysis and
9 design which are acquired by education and practical experience, is
10 qualified to engage in the practice of engineering as attested by that
11 individual's registration as a professional engineer.

12 (c) "Engineering intern" means an individual who:

13 (1) is a graduate from an approved engineering curriculum of four
14 (4) years or more or who has acquired, through engineering
15 education and experience in engineering work, knowledge and
16 skill approximating that obtained by graduation in an approved
17 engineering curriculum of four (4) years or more;

18 (2) has successfully passed an examination as prescribed in
19 section 14 of this chapter; and

20 (3) has been issued by the board an appropriate certificate of
21 enrollment as an engineering intern.

22 (d) "Practice of engineering" means any service or creative work
23 that the adequate performance of requires engineering education,
24 training, and experience in the application of special knowledge of the
25 mathematical, physical, and engineering sciences to services or
26 creative work that includes the following:

27 (1) Consultation.

28 (2) Investigation.

29 (3) Evaluation.

30 (4) Planning, including planning the use of land and water.

31 (5) The design of or the supervision of the design of engineering
32 works and systems.

33 (6) Engineering surveys and studies or the supervision of
34 engineering surveys and studies, including all surveying activities
35 required to support the sound conception, planning, design,
36 construction, maintenance, and operation of engineered projects,
37 but not including the surveying of real property for the
38 establishment of land boundaries, subdivisions, rights-of-way,
39 easements, and the dependent or independent surveys or
40 resurveys of the public land survey system.

41 (7) Evaluation of construction for the purpose of assuring
42 compliance with specifications, plans, and designs, in connection



1 with any public or private utilities, structures, buildings,
2 machines, equipment, processes, work systems, or projects.

3 The term "practice of engineering" does not include the work ordinarily
4 performed by persons who operate or maintain machinery or
5 equipment.

6 (e) "Approved engineering curriculum" means an engineering
7 curriculum of four (4) years or more that has been approved by the
8 board. In approving the engineering curriculum, the board may take
9 into consideration the standards of accreditation adopted by the
10 Engineering Accreditation Commission of the Accreditation Board for
11 Engineering and Technology.

12 (f) "Practice or offer to practice engineering" means the act of an
13 individual or a business who by verbal claim, sign, advertisement,
14 letterhead, card, telephone listing, or in any other way represents the
15 individual or the business to be a professional engineer or who
16 performs, or offers to perform, any acts or work involving the practice
17 of engineering.

18 (g) "Licensing agency" means the ~~Indiana professional workforce~~
19 ~~licensing agency established by IC 25-1-5-3.~~ **IC 22-4.1-2-2.**

20 SECTION 149. IC 25-33-1-2, AS AMENDED BY P.L.2-2007,
21 SECTION 344, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) As used in this article:

23 "Appraisal instrument" means:

- 24 (1) a career and occupational instrument;
25 (2) an adaptive behavioral and symptom screening checklist; or
26 (3) an inventory of interests and preferences;

27 that is administered for the purpose of counseling individuals to cope
28 with or adapt to changing life situations or to situations that are due to
29 problems in living. The term includes marital, relational,
30 communicational, parent and child, family system assessment
31 instruments, and employment counseling.

32 "Board" means the state psychology board.

33 "Person" means an individual, firm, partnership, association, or
34 corporation.

35 "Practice of psychology" includes the following:

- 36 (1) Construction, administration, and interpretation of tests of
37 intellectual and cognitive abilities, aptitudes, skills, interests,
38 attitudes, personality characteristics, perception, emotion,
39 motivation, and opinion.
40 (2) Diagnosis and treatment of mental and behavioral disorders by
41 a health service provider in psychology.
42 (3) Educational and vocational planning and guidance.



- 1 (4) Personnel selection and management.
 2 (5) Arrangement of effective work and learning situations.
 3 (6) Resolution of interpersonal and social conflicts.
 4 (7) Techniques used in interviewing, counseling, psychotherapy,
 5 and behavior modification of individuals or groups.
 6 (8) Supervision of psychological services.
 7 (9) Teaching of any of the practices listed in this subsection.
 8 (10) The planning and conduct of research on human behavior.
 9 "Psychological services" means acts or behaviors coming within the
 10 purview of the practice of psychology (as defined in this article).
 11 "Recognized postsecondary educational institution" means any
 12 college, university, school, or similar educational establishment
 13 approved by the board for the purposes of this article.
 14 "Agency" means the **Indiana professional health professions**
 15 **licensing agency under IC 25-1-5. established by IC 16-19-18-2.**
 16 "Approved organization" means any organization or individual
 17 approved by the board.
 18 "Continuing education course" means an orderly process of
 19 instruction that is designed to directly enhance the practicing
 20 psychologist's knowledge and skill in providing relevant psychological
 21 services, and that is approved by an approved organization.
 22 (b) Nothing in this article shall be construed as permitting
 23 individuals licensed as psychologists to engage in any manner in the
 24 practice of medicine or optometry (as defined in the laws of this state).
 25 (c) Nothing in this article shall be construed as permitting a
 26 psychologist to prescribe medication, unless a psychologist is
 27 participating in a federal government sponsored training or treatment
 28 program. An individual licensed as a psychologist may not prescribe
 29 medication unless the individual is a practitioner (as defined under
 30 IC 16-42-19-5).
 31 SECTION 150. IC 25-34.1-1-2, AS AMENDED BY P.L.116-2015,
 32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 2. As used in this article:
 34 (1) "Person" means an individual, a partnership, a corporation, or
 35 a limited liability company.
 36 (2) "Commission" means the Indiana real estate commission.
 37 (3) "Real estate" means any right, title, or interest in real property.
 38 (4) "Broker" means a person who:
 39 (A) for consideration, sells, buys, trades, exchanges, options,
 40 leases, rents, manages, lists, or appraises real estate or
 41 negotiates or offers to perform any of those acts; and
 42 (B) is acting in association with and under the auspices of a



- 1 managing broker and broker company.
 2 (5) "License" means a broker license issued under this article and
 3 which is not expired, suspended, or revoked.
 4 (6) "Licensee" means a person who holds a license issued under
 5 this article. The term does not include a person who holds a real
 6 estate appraiser license or certificate issued under the real estate
 7 appraiser licensure and certification program established under
 8 IC 25-34.1-3-8.
 9 (7) "Course approval" means approval of a broker course granted
 10 under this article which is not expired, suspended, or revoked.
 11 (8) "Licensing agency" means the ~~Indiana professional workforce~~
 12 licensing agency established by ~~IC 25-1-5-3~~ **IC 22-4.1-2-2**.
 13 (9) "Board" refers to the real estate appraiser licensure and
 14 certification board established under IC 25-34.1-8-1.
 15 (10) "Commercial real estate" means a parcel of real estate other
 16 than real estate containing one (1) to four (4) residential units.
 17 This term does not include single family residential units such as:
 18 (A) condominiums;
 19 (B) townhouses;
 20 (C) manufactured homes; or
 21 (D) homes in a subdivision;
 22 when sold, leased, or otherwise conveyed on a unit-by-unit basis,
 23 even if those units are part of a larger building or parcel of real
 24 estate containing more than four (4) residential units.
 25 (11) "Out-of-state commercial broker" includes a person, a
 26 partnership, an association, a limited liability company, a limited
 27 liability partnership, or a corporation that is licensed to do
 28 business as a broker in a jurisdiction other than Indiana.
 29 (12) "Out-of-state commercial salesperson" includes a person
 30 affiliated with an out-of-state commercial broker who is not
 31 licensed as a broker under this article.
 32 (13) "Managing broker" refers to an individual broker whom the
 33 commission holds responsible for the actions of licensees who are
 34 affiliated with the broker company.
 35 (14) "Broker company" means a licensee that is a business
 36 engaged in the activities described in IC 25-34.1-3-2(a), whether
 37 as a sole proprietorship, a partnership, a limited liability company,
 38 or a corporation. In the case of a broker company that is a sole
 39 proprietorship, the individual broker who is the sole proprietor is
 40 the broker company and the managing broker for the broker
 41 company.
 42 SECTION 151. IC 25-34.1-2-2 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The commission
 2 shall elect from its membership a chairman and a vice chairman. The
 3 chairman and vice chairman shall serve in that capacity for one (1) year
 4 and until a successor is elected. The chairman and vice chairman may
 5 serve consecutively no more than two (2) terms in that capacity. The
 6 chairman shall preside at all meetings. The vice chairman shall preside
 7 at meetings in the absence of the chairman and shall perform other
 8 duties as the chairman may direct.

9 (b) The licensing agency shall provide to the commission an
 10 ~~executive~~ a director. The ~~executive~~ director may not be a member of
 11 the commission. The ~~executive~~ director shall:

- 12 (1) provide reasonable notice to all commission members of the
- 13 time and place of each meeting;
- 14 (2) keep a record of all meetings, of all votes taken by the
- 15 commission, and of all other proceedings, transactions,
- 16 communications, official acts, and records of the commission;
- 17 (3) keep a current file of all licenses and licensees; and
- 18 (4) perform any other duties which the commission may
- 19 prescribe.

20 SECTION 152. IC 25-34.1-2-3 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The commission
 22 shall meet upon the call of the chairman or at the written request of any
 23 seven (7) members of the commission. The chairman shall establish the
 24 time and place of all meetings.

25 (b) A majority of the current members of the commission constitutes
 26 a quorum at a meeting for the purpose of transacting business. A
 27 majority vote of all members present at a meeting is necessary to bind
 28 the commission.

29 (c) Any action required or permitted to be taken at a meeting of the
 30 commission may be taken without a meeting if, prior to that action:

- 31 (1) a written consent to the action, either executed as a single
- 32 document or in counterparts, is signed by all members of the
- 33 commission; or
- 34 (2) all members orally consent to the action and subsequently
- 35 confirm that consent in writing.

36 The written consent or confirmation shall set forth the action under
 37 consideration and shall be filed with the minutes of the meetings which
 38 are kept by the ~~executive~~ director. A written consent or a confirmed
 39 oral consent shall be treated for all purposes as a unanimous vote of the
 40 members and as though the vote had taken place at a regular meeting
 41 of the commission.

42 SECTION 153. IC 25-34.1-2-5, AS AMENDED BY P.L.84-2016,



1 SECTION 113, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2019]: Sec. 5. The commission may:

- 3 (1) administer and enforce the provisions of this article;
 4 (2) adopt rules in accordance with IC 4-22-2 and prescribe forms
 5 for licenses, applications, and other documents which are
 6 necessary or appropriate for the administration and enforcement
 7 of this article;
 8 (3) issue, deny, suspend, and revoke licenses in accordance with
 9 this article, which licenses shall remain the property of the
 10 commission;
 11 (4) subject to IC 25-1-7, investigate complaints concerning
 12 licensees or persons the commission has reason to believe should
 13 be licensees, including complaints respecting failure to comply
 14 with this article or the rules, and, when appropriate, take action
 15 pursuant to IC 25-34.1-6;
 16 (5) bring actions, in the name of the state of Indiana, in an
 17 appropriate circuit court, superior court, or probate court in order
 18 to enforce compliance with this article or the rules;
 19 (6) inspect the records of a licensee in accordance with rules and
 20 standards prescribed by the commission;
 21 (7) conduct, or designate a member or other representative to
 22 conduct, public hearings on any matter for which a hearing is
 23 required under this article and exercise all powers granted in
 24 IC 4-21.5;
 25 (8) adopt a seal containing the words "Indiana Real Estate
 26 Commission" and, through ~~its executive~~ **the director of the**
 27 **licensing agency**, certify copies and authenticate all acts of the
 28 commission;
 29 (9) utilize counsel, consultants, and other persons who are
 30 necessary or appropriate to administer and enforce this article and
 31 the rules;
 32 (10) enter into contracts and authorize expenditures that are
 33 necessary or appropriate, subject to IC 25-1-6, to administer and
 34 enforce this article and the rules;
 35 (11) maintain the commission's office, files, records, and property
 36 in the city of Indianapolis;
 37 (12) grant, deny, suspend, and revoke approval of examinations
 38 and courses of study as provided in IC 25-34.1-5;
 39 (13) provide for the filing and approval of surety bonds which are
 40 required by IC 25-34.1-5;
 41 (14) adopt rules in accordance with IC 4-22-2 necessary for the
 42 administration of the investigative fund established under



1 IC 25-34.1-8-7.5;

2 (15) adopt emergency rules under IC 4-22-2-37.1 to adopt any or
3 all parts of Uniform Standards of Professional Appraisal Practice
4 (USPAP), including the comments to the USPAP, as published by
5 the Appraisal Standards Board of the Appraisal Foundation, under
6 the authority of Title XI of the Financial Institutions Reform,
7 Recovery, and Enforcement Act (12 U.S.C. 3331-3351);

8 (16) exercise other specific powers conferred upon the
9 commission by this article; and

10 (17) adopt rules under IC 4-22-2 governing education, including
11 prelicensing, postlicensing, and continuing education.

12 SECTION 154. IC 25-34.1-8-15 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15. The office of the
14 attorney general and the ~~professional~~ licensing agency may use the
15 investigative fund established by section 7.5 of this chapter to hire
16 investigators and other employees to administer and enforce the
17 provisions of this article and to investigate and prosecute real estate
18 fraud and real estate appraisal fraud.

19 SECTION 155. IC 25-35.6-1-7, AS AMENDED BY P.L.197-2007,
20 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2019]: Sec. 7. (a) The division of professional standards
22 established within the department of education by IC 20-28-2-1.5
23 (referred to as "the division of professional standards" in this section)
24 may issue the following:

25 (1) An initial license as a speech-language pathologist only to an
26 individual who is licensed as a speech-language pathologist under
27 this article.

28 (2) A nonrenewable initial license as a speech-language
29 pathologist to an individual who is completing a clinical
30 fellowship in speech-language pathology and who has registered
31 the clinical fellowship with the board. The nonrenewable initial
32 license expires on the earlier of:

33 (A) the date the individual is licensed by the board as a
34 speech-language pathologist; or

35 (B) eighteen (18) months after the individual begins the
36 clinical fellowship in speech-language pathology.

37 (3) A renewal license as a speech-language pathologist to an
38 individual who was licensed by the professional standards board
39 before July 1, 2005, and who is not licensed as a speech-language
40 pathologist under this article.

41 (b) The division of professional standards shall issue a license as a
42 speech-language pathologist to an individual who:



- 1 (1) is licensed as a speech-language pathologist under this article;
 2 and
 3 (2) requests licensure.
- 4 (c) A speech-language pathologist licensed by the division of
 5 professional standards shall register with the ~~Indiana professional~~
 6 **health professions** licensing agency all speech-language pathology
 7 support personnel that the speech-language pathologist supervises.
- 8 (d) The division of professional standards may not impose different
 9 or additional supervision requirements upon speech-language
 10 pathology support personnel than the supervision requirements that are
 11 imposed under this article.
- 12 (e) The division of professional standards may not impose
 13 continuing education requirements upon an individual who receives a
 14 license under this section that are different from or in addition to the
 15 continuing education requirements imposed under this article.
- 16 (f) An individual:
 17 (1) who:
 18 (A) if the individual is a speech-language pathologist, receives
 19 a license under this section or received a license as a
 20 speech-language pathologist issued by the professional
 21 standards board before July 1, 2005; or
 22 (B) if the individual is an audiologist, works in an educational
 23 setting;
 24 (2) who has been the holder of a certificate of clinical competence
 25 in speech-language pathology or audiology or its equivalent
 26 issued by a nationally recognized association for speech-language
 27 pathology and audiology for at least three (3) consecutive years;
 28 and
 29 (3) who has professional experience as a licensed
 30 speech-language pathologist or audiologist in a school setting that
 31 is equivalent to the experience required for a teacher seeking
 32 national certification by the National Board of Professional
 33 Teaching Standards;
 34 is considered to have the equivalent of and is entitled to the same
 35 benefits that accrue to a holder of a national certification issued by the
 36 National Board for Professional Teaching Standards.
- 37 SECTION 156. IC 25-35.6-3-7, AS AMENDED BY P.L.1-2006,
 38 SECTION 481, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2019]: Sec. 7. Any fees required by this article
 40 shall be established by the board by rule and collected by the ~~Indiana~~
 41 **professional health professions** licensing agency under IC 25-1-8-2.
 42 SECTION 157. IC 25-38.1-1-4, AS ADDED BY P.L.2-2008,



1 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 4. "Agency" refers to the ~~Indiana professional~~
3 **health professions** licensing agency established by ~~IC 25-1-5-3.~~
4 **IC 16-19-18-2.**

5 SECTION 158. IC 34-30-2-98.1, AS ADDED BY P.L.177-2009,
6 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2019]: Sec. 98.1. IC 25-1-5.5-4 (Concerning the registry
8 maintained by the ~~Indiana professional workforce~~ licensing agency
9 concerning certain professions).

10 SECTION 159. IC 34-30-2-99, AS AMENDED BY P.L.1-2006,
11 SECTION 521, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2019]: Sec. 99. IC 25-22.5-6-3 (Concerning the
13 ~~executive~~ director, employees, hearing officers, and board members of
14 the ~~Indiana professional health professions~~ licensing agency).

15 SECTION 160. IC 34-30-2-99.4, AS AMENDED BY P.L.1-2006,
16 SECTION 522, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2019]: Sec. 99.4. IC 25-23-1-19.8(i)
18 (Concerning licensed practitioners who release health records and
19 patient information to the ~~Indiana professional health professions~~
20 licensing agency).

21 SECTION 161. IC 35-38-6-1, AS AMENDED BY P.L.86-2018,
22 SECTION 334, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The punishment of death shall
24 be inflicted by intravenous injection of a lethal substance or substances
25 into the convicted person:

- 26 (1) in a quantity sufficient to cause the death of the convicted
27 person; and
- 28 (2) until the convicted person is dead.

29 (b) The death penalty shall be inflicted before the hour of sunrise on
30 a date fixed by the sentencing court. However, the execution must not
31 occur until at least one hundred (100) days after the conviction.

32 (c) The warden of the state prison, or persons designated by the
33 warden, shall designate the person who is to serve as the executioner.

34 (d) The department of correction may adopt rules under IC 4-22-2
35 necessary to implement subsection (a).

36 (e) The department of correction may make and enter into a contract
37 with an outsourcing facility, a wholesale drug distributor (as defined in
38 IC 25-26-14-12), a pharmacy (as defined in IC 25-26-13-2), or a
39 pharmacist (as defined in IC 25-26-13-2) for the issuance or
40 compounding of a lethal substance necessary to carry out an execution
41 by lethal injection. A lethal substance provided to the department of
42 correction under this subsection may be used only for the purpose of



1 carrying out an execution by lethal injection. The issuance or
2 compounding of a lethal substance under this subsection:

3 (1) does not constitute the practice of pharmacy (as defined in
4 IC 25-26-13-2);

5 (2) is not subject to the jurisdiction of the Indiana board of
6 pharmacy, the medical licensing board of Indiana, the Indiana
7 state department of health, or the ~~Indiana professional health~~
8 **professions** licensing agency; and

9 (3) is exempt from the provisions of IC 25.

10 A pharmacist, a pharmacy, a wholesale drug distributor, or an
11 outsourcing facility that provides a lethal substance to the department
12 of correction under this subsection shall label the lethal substance with
13 the name of the lethal substance, its dosage, a projected expiration date,
14 and a statement that the lethal substance shall be used only by the
15 department of correction for the purpose of carrying out an execution
16 by lethal injection.

17 (f) The following are confidential, are not subject to discovery, and
18 may not be introduced as evidence in any civil or criminal proceeding:

19 (1) The identity of a person described in subsection (e) that enters
20 into a contract with the department of correction under subsection
21 (e) for the issuance or compounding of lethal substances
22 necessary to carry out an execution by lethal injection.

23 (2) The identity of an officer, an employee, or a contractor of a
24 person described in subdivision (1).

25 (3) The identity of a person contracted by a person described in
26 subdivision (1) to obtain equipment or a substance to facilitate the
27 compounding of a lethal substance described in subsection (e).

28 (4) Information reasonably calculated to lead to the identity of a
29 person described in this subsection, including a:

30 (A) name;

31 (B) residential or business address;

32 (C) residential or office telephone number; and

33 (D) Social Security number or tax identification number.

34 This subsection applies retroactively to any request for information,
35 discovery request, or proceeding, no matter when made or initiated.

36 SECTION 162. IC 35-48-3-3.1, AS AMENDED BY P.L.78-2017,
37 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2019]: Sec. 3.1. (a) A registration to manufacture, distribute,
39 or dispense a controlled substance that is:

40 (1) issued by the Indiana state board of pharmacy under this
41 chapter, as effective April 30, 1986; and

42 (2) in effect on April 30, 1986;



1 does not expire until the date specified for renewal of the registration
 2 under section 3 of this chapter, as amended by P.L.156-1986. However,
 3 the registrant is liable for a prorated renewal fee proportionate to the
 4 fraction of the renewal period specified under section 3 of this chapter,
 5 as amended by P.L.156-1986, that the extended registration is in effect.

6 (b) The **Indiana professional health professions** licensing agency
 7 shall:

8 (1) notify a registrant described under subsection (a) in writing of;
 9 and

10 (2) collect;

11 the amount of the prorated fee applicable to the registrant's extended
 12 registration.

13 (c) The **Indiana professional health professions** licensing agency
 14 shall issue to a registrant described under subsection (a) such evidence
 15 of the registrant's extended registration as the state board of pharmacy
 16 requires.

17 SECTION 163. IC 35-48-3-3.5, AS ADDED BY P.L.55-2018,
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 3.5. (a) IC 25-1-4-0.7, IC 25-1-4-1, IC 25-1-4-2,
 20 IC 25-1-4-3, IC 25-1-4-3.2, and IC 25-1-4-4 concerning continuing
 21 education apply to this section.

22 (b) Beginning July 1, 2019, a practitioner who is licensed by a board
 23 under IC 25-1-9 and applies for registration or reregistration under this
 24 chapter must have completed two (2) hours of continuing education
 25 during the previous two (2) years addressing the topic of opioid
 26 prescribing and opioid abuse.

27 (c) All continuing education courses required under subsection (b)
 28 must be:

29 (1) approved by the board or the licensing board that regulates the
 30 practitioner; or

31 (2) offered by an approved organization (as defined by
 32 IC 25-1-4-0.2).

33 (d) The **Indiana professional health professions** licensing agency
 34 shall maintain on the agency's Internet web site a schedule of or link to
 35 opioid prescribing and opioid abuse continuing education courses that
 36 are available under subsection (c).

37 (e) If a practitioner is required to take continuing education as a
 38 condition to renew a registration, certification, or license under IC 25,
 39 the continuing education courses completed under this section must be
 40 applied to the fulfillment of that requirement.

41 (f) This section expires July 1, 2025.

42 SECTION 164. IC 35-48-7-12.1, AS AMENDED BY P.L.194-2018,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2019]: Sec. 12.1. (a) The board shall adopt rules under
3 IC 4-22-2 to implement this chapter, including the following:

4 (1) Information collection and retrieval procedures for the
5 INSPECT program, including the controlled substances to be
6 included in the program required under section 8.1 of this chapter.

7 (2) Design for the creation of the data base required under section
8 10.1 of this chapter.

9 (3) Requirements for the development and installation of online
10 electronic access by the board to information collected by the
11 INSPECT program.

12 (4) Identification of emergency situations or other circumstances
13 in which a practitioner may prescribe, dispense, and administer a
14 prescription drug specified in section 8.1 of this chapter without
15 a written prescription or on a form other than a form specified in
16 section 8.1(a)(4) of this chapter.

17 (5) Requirements for a practitioner providing treatment for a
18 patient at an opioid treatment program operating under
19 IC 12-23-18 to check the INSPECT program:

20 (A) before initially prescribing ephedrine, pseudoephedrine, or
21 a controlled substance to a patient; and

22 (B) periodically during the course of treatment that uses
23 ephedrine, pseudoephedrine, or a controlled substance.

24 (b) The board may:

25 (1) set standards for education courses for individuals authorized
26 to use the INSPECT program;

27 (2) identify treatment programs for individuals addicted to
28 controlled substances monitored by the INSPECT program; and

29 (3) work with impaired practitioner associations to provide
30 intervention and treatment.

31 (c) The ~~executive~~ director of the ~~Indiana professional health~~
32 **professions** licensing agency may hire a person to serve as the director
33 of the INSPECT program, with the approval of the chairperson of the
34 board.

35 (d) The board shall do the following:

36 (1) Establish a procedure for a practitioner to request a waiver
37 from the requirements of section 11.1(k) of this chapter if the
38 practitioner does not have access to the Internet at the
39 practitioner's place of business.

40 (2) Review a practitioner's written request for a waiver from the
41 requirements of section 11.1(k) of this chapter and determine
42 whether the practitioner should be granted a waiver.



1 (3) Upon determination by the board under subdivision (2) that a
 2 practitioner should be granted a waiver under this subsection,
 3 issue the practitioner a waiver.

4 SECTION 165. IC 35-48-7-13.1, AS AMENDED BY P.L.112-2014,
 5 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 13.1. (a) The controlled substances data fund is
 7 established to fund the administration of the INSPECT program. The
 8 fund shall be administered by the **Indiana professional health**
 9 **professions** licensing agency.

10 (b) Expenses of administering the fund shall be paid from money in
 11 the fund. The fund consists of grants, public and private financial
 12 assistance, and the controlled substances registration fees imposed
 13 under rules adopted under IC 35-48-3-1.

14 (c) The treasurer of state shall invest the money in the fund not
 15 currently needed to meet the obligations of the fund in the same
 16 manner as other public money may be invested.

17 (d) Money in the fund at the end of a state fiscal year does not revert
 18 to the state general fund.

19 SECTION 166. IC 35-48-7-16 IS REPEALED [EFFECTIVE JULY
 20 1, 2019]. Sec. 16. (a) ~~Before October 1, 2014, the Indiana professional~~
 21 ~~licensing agency shall:~~

22 (1) ~~study the impact of including all prescription drugs in the~~
 23 ~~INSPECT program; and~~

24 (2) ~~report the findings to the legislative council in an electronic~~
 25 ~~format under IC 5-14-6.~~

26 (b) ~~The study under subsection (a) must include the following:~~

27 (1) ~~The efficacy of including drugs other than controlled~~
 28 ~~substances in the INSPECT program.~~

29 (2) ~~Recommended parameters for the inclusion of drugs other~~
 30 ~~than controlled substances.~~

31 (3) ~~Analysis of any security concerns related to patient and~~
 32 ~~provider privacy.~~

33 (4) ~~Technology requirements.~~

34 (5) ~~Regulatory impact analysis.~~

35 (6) ~~Fiscal impact analysis.~~

36 (c) ~~The:~~

37 (1) ~~state department of health;~~

38 (2) ~~office of the secretary of family and social services;~~

39 (3) ~~department of homeland security; and~~

40 (4) ~~Indiana office of technology (IC 4-13.1-2);~~

41 shall assist the Indiana professional licensing agency with the study
 42 required by this section:

