



Reprinted  
April 10, 2001

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## ENGROSSED SENATE BILL No. 428

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DIGEST OF SB 428 (Updated April 9, 2001 7:09 PM - DI 77)

**Citations Affected:** IC 15-5; IC 25-1; IC 25-5.1; IC 25-13; IC 25-14; IC 25-14.5; IC 25-19; IC 25-20; IC 25-22.5; IC 25-23; IC 25-23.5; IC 25-23.6; IC 25-24; IC 25-26; IC 25-27.5; IC 25-33; IC 25-34.5; IC 25-35.6.

**Synopsis:** Health professions licenses. Provides standardized requirements for health professions concerning: (1) attesting compliance with continuing education requirements; (2) auditing compliance with continuing education requirements; and (3) reinstating a health professional's lapsed license, certificate, or registration. Provides that a person who has a bachelor's degree in social work and meets certain other requirements may be licensed as a bachelor's social worker.

**Effective:** July 1, 2001.

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### Riegsecker

(HOUSE SPONSORS — BROWN C, ULMER, DILLON)

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January 18, 2001, read first time and referred to Committee on Health and Provider Services.

March 1, 2001, reported favorably — Do Pass.

March 5, 2001, read second time, ordered engrossed. Engrossed.

March 6, 2001, read third time, passed. Yeas 50, nays 0.

#### HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Public Health.

March 29, 2001, amended, reported — Do Pass.

April 9, 2001, read second time, amended, ordered engrossed.

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ES 428—LS 7934/DI 77+



Reprinted  
April 10, 2001

First Regular Session 112th General Assembly (2001)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## ENGROSSED SENATE BILL No. 428

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 15-5-1.1-8, AS AMENDED BY P.L.71-2000,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2001]: Sec. 8. (a) The powers enumerated in this section are  
4 granted for the purpose of enabling the board to effectively supervise  
5 the practice of veterinary medicine and are to be construed liberally to  
6 accomplish this objective.  
7 (b) The board is vested with the sole authority to determine the  
8 qualifications of applicants for:  
9 (1) a license to practice veterinary medicine in this state; and  
10 (2) registration to practice as a veterinary technician in this state.  
11 (c) The board is vested with the sole authority to issue, renew, deny,  
12 suspend, or revoke:  
13 (1) licenses and special permits to practice veterinary medicine in  
14 this state; and  
15 (2) registrations or special permits to practice as a veterinary  
16 technician in this state.  
17 (d) The board is vested with sole authority to discipline licensed

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1 veterinarians and registered veterinary technicians consistent with the  
2 provisions of this chapter and the rules adopted thereunder.

3 (e) The board is vested with the sole authority to determine the  
4 following:

5 (1) The examinations applicants are required to take.

6 (2) The subjects to be covered.

7 (3) The places where and the dates on which examinations will be  
8 given.

9 (4) The deadlines for applying to take the examinations.

10 (f) The board may establish by rule minimum standards of  
11 continuing education for the renewal of licenses to practice veterinary  
12 medicine and for the renewal of registrations as a veterinary technician.

13 **The rules adopted under this subsection must comply with**  
14 **IC 25-1-4-3.**

15 (g) The board shall adopt by rule standards of professional conduct  
16 for the competent practice of veterinary medicine and the competent  
17 practice of a veterinary technician.

18 (h) Subject to IC 25-1-7, the board may conduct investigations for  
19 the purpose of discovering violations of this chapter:

20 (1) by licensed veterinarians or registered veterinary technicians;  
21 or

22 (2) by persons practicing veterinary medicine without a license or  
23 persons practicing as a registered veterinary technician without  
24 being registered.

25 (i) The board may inspect, without notice and during normal  
26 working hours, veterinary hospitals, clinics, or other establishments to  
27 determine if such places meet the board's standards of cleanliness and  
28 sanitation as defined by the board's rules.

29 (j) The board may hold hearings on all matters properly brought  
30 before it and in connection thereto may administer oaths, receive  
31 evidence, make findings, and enter orders consistent with the findings.  
32 The board may require by subpoena the attendance and testimony of  
33 witnesses and the production of papers, records, or other documentary  
34 evidence and commission depositions. The board may designate one  
35 (1) or more of its members to serve as its hearing officer.

36 (k) The board may bring proceedings in the courts for the  
37 enforcement of this chapter or any rules made pursuant thereto.

38 (l) The board shall have fees collected for examining and licensing  
39 veterinarians and for examining and registering veterinary technicians.

40 (m) The board may enter into reciprocal agreements with its  
41 counterpart boards in other states and may effect such agreements by  
42 rule.

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1 (n) The board may appoint from its own membership one (1) or  
 2 more members to act as representatives of the board at any meeting  
 3 within or without the state where such representation is deemed  
 4 desirable.

5 (o) The bureau shall provide the board with full or part-time  
 6 professional and clerical personnel and supplies including printed  
 7 matter and equipment necessary to effectuate the provisions of this  
 8 chapter.

9 (p) The board may, in the manner prescribed by IC 4-22-2, adopt  
 10 such reasonable rules as it deems necessary for the performance of its  
 11 duties, consistent with this chapter and other applicable laws of this  
 12 state. Any rule adopted under, and applicable to, the prior veterinarian  
 13 and veterinary technician licensing and registration laws (IC 15-5-1  
 14 and IC 15-5-1.5) continues in effect under this chapter until rescinded  
 15 or amended by the board.

16 (q) The board may adopt an appropriate seal which may be affixed  
 17 to all license and registration certificates and other official documents  
 18 of the board.

19 SECTION 2. IC 25-1-4-0.3 IS ADDED TO THE INDIANA CODE  
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 21 1, 2001]: **Sec. 0.3. As used in section 3 of this chapter, "board"**  
 22 **means any of the following:**

- 23 (1) **Indiana board of veterinary medical examiners**  
 24 **(IC 15-5-1.1).**
- 25 (2) **Indiana athletic trainers board (IC 25-5.1-2-1).**
- 26 (3) **Board of chiropractic examiners (IC 25-10-1).**
- 27 (4) **State board of dentistry (IC 25-14-1).**
- 28 (5) **Indiana dietitians certification board (IC 25-14.5-2-1).**
- 29 (6) **Indiana state board of health facility administrators**  
 30 **(IC 25-19-1).**
- 31 (7) **Committee on hearing aid dealer examiners**  
 32 **(IC 25-20-1-1.5).**
- 33 (8) **Indiana hypnotist committee (IC 25-20.5-1-7).**
- 34 (9) **Medical licensing board of Indiana (IC 25-22.5-2).**
- 35 (10) **Indiana state board of nursing (IC 25-23-1).**
- 36 (11) **Occupational therapy committee (IC 25-23.5).**
- 37 (12) **Social worker, marriage and family therapist, and mental**  
 38 **health counselor board (IC 25-23.6).**
- 39 (13) **Indiana optometry board (IC 25-24).**
- 40 (14) **Indiana board of pharmacy (IC 25-26).**
- 41 (15) **Indiana physical therapy committee (IC 25-27-1).**
- 42 (16) **Physician assistant committee (IC 25-27.5).**



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- 1 (17) Board of podiatric medicine (IC 25-29-2-1).
- 2 (18) Board of environmental health specialists (IC 25-32).
- 3 (19) State psychology board (IC 25-33).
- 4 (20) Respiratory care committee (IC 25-34.5).
- 5 (21) Speech-language pathology and audiology board
- 6 (IC 25-35.6-2).

7 SECTION 3. IC 25-1-4-0.6 IS ADDED TO THE INDIANA CODE  
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 9 1, 2001]: **Sec. 0.6. As used in section 3 of this chapter,**  
 10 **"practitioner" means an individual who holds:**

- 11 (1) an unlimited license, certificate, or registration;
- 12 (2) a limited or probationary license, certificate, or
- 13 registration;
- 14 (3) a temporary license, certificate, registration, or permit;
- 15 (4) an intern permit; or
- 16 (5) a provisional license;

17 **issued by the board regulating the profession in question.**

18 SECTION 4. IC 25-1-4-3 IS ADDED TO THE INDIANA CODE  
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 20 1, 2001]: **Sec. 3. (a) Notwithstanding any other law, a board that is**  
 21 **specifically authorized or mandated to require continuing**  
 22 **education as a condition to renew a registration, certification, or**  
 23 **license must require a practitioner to comply with the following**  
 24 **renewal requirements:**

- 25 (1) The practitioner shall provide the board with a sworn
- 26 statement signed by the practitioner that the practitioner has
- 27 fulfilled the continuing education requirements required by
- 28 the board.
- 29 (2) The practitioner shall retain copies of certificates of
- 30 completion for continuing education courses for three (3)
- 31 years from the end of the licensing period for which the
- 32 continuing education applied. The practitioner shall provide
- 33 the board with copies of the certificates of completion upon
- 34 the board's request for a compliance audit.

35 (b) Every two (2) years the board shall randomly audit for  
 36 compliance more than one percent (1%) but less than ten percent  
 37 (10%) of the practitioners required to take continuing education  
 38 courses.

39 SECTION 5. IC 25-1-8-6 IS ADDED TO THE INDIANA CODE  
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 41 1, 2001]: **Sec. 6. (a) As used in this section, "board" has the**  
 42 **meaning set forth in IC 25-1-4-0.3.**

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

3           **(c) Notwithstanding any other law regarding the reinstatement**  
 4 **of a delinquent or lapsed license, certificate, or registration, the**  
 5 **holder of a license, certificate, or registration that was issued by**  
 6 **the board that is three (3) years or less delinquent must be**  
 7 **reinstated upon meeting the following requirements:**

8           **(1) Submission of the holder's completed renewal application.**

9           **(2) Payment of the current renewal fee established by the**  
 10 **board under section 2 of this chapter.**

11           **(3) Payment of a reinstatement fee established by the health**  
 12 **professions bureau.**

13           **(4) If a law requires the holder to complete continuing**  
 14 **education as a condition of renewal, the holder shall provide**  
 15 **the board with a sworn statement, signed by the holder, that**  
 16 **the holder has fulfilled the continuing education requirements**  
 17 **required by the board for the current renewal period.**

18           **(d) Notwithstanding any other law regarding the reinstatement**  
 19 **of a delinquent or lapsed license, certificate, or registration, unless**  
 20 **a statute specifically does not allow a license, certificate, or**  
 21 **registration to be reinstated if it has lapsed for more than three (3)**  
 22 **years, the holder of a license, certificate, or registration that was**  
 23 **issued by the board that is more than three (3) years delinquent**  
 24 **must be reinstated upon meeting the following requirements:**

25           **(1) Submission of the holder's completed renewal application.**

26           **(2) Payment of the current renewal fee established by the**  
 27 **board under section 2 of this chapter.**

28           **(3) Payment of a reinstatement fee equal to the current initial**  
 29 **application fee.**

30           **(4) If a law requires the holder to complete continuing**  
 31 **education as a condition of renewal, the holder shall provide**  
 32 **the board with a sworn statement, signed by the holder, that**  
 33 **the holder has fulfilled the continuing education requirements**  
 34 **required by the board for the current renewal period.**

35           **(5) Complete such remediation and additional training as**  
 36 **deemed appropriate by the board given the lapse of time**  
 37 **involved.**

38           **(6) Any other requirement that is provided for in statute or**  
 39 **rule that is not related to fees.**

40           SECTION 6. IC 25-5.1-3-5 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) Except as  
 42 provided in subsection (b), an individual whose license has expired

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1 may have the license renewed for not more than three (3) years after  
2 the date of expiration upon

- 3 (1) payment of all past due fees and a penalty fee set by the board;  
4 and  
5 (2) submission of proof to the board that the individual has  
6 completed the number of hours of continuing education during  
7 the expired period that are required under standards adopted  
8 under ~~IC 25-5-1-2-6(2)(D)~~: **meeting the requirements under**  
9 **IC 25-1-8-6.**

10 (b) If an individual's license has been expired for more than three  
11 (3) years, the individual must file a new application.

12 SECTION 7. IC 25-13-1-8, AS AMENDED BY P.L.44-2000,  
13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2001]: Sec. 8. (a) A license to practice dental hygiene in  
15 Indiana shall be issued to candidates who pass the board's  
16 examinations. The license shall be valid for the remainder of the  
17 renewal period in effect on the date the license was issued.

18 (b) Prior to the issuance of the license, the applicant shall pay a fee  
19 set by the board under section 5 of this chapter. A license issued by the  
20 board expires on a date specified by the health professions bureau  
21 under IC 25-1-5-4(k) of each even-numbered year. An applicant for  
22 license renewal must satisfy the following conditions:

- 23 (1) Pay the renewal fee set by the board under section 5 of this  
24 chapter on or before the renewal date specified by the health  
25 professions bureau in each even-numbered year.  
26 (2) **Subject to IC 25-1-4-3**, provide the board with a sworn  
27 statement signed by the applicant attesting that the applicant has  
28 fulfilled the continuing education requirements under IC 25-13-2.  
29 (3) Be currently certified or successfully complete a course in  
30 basic life support through a program approved by the board. The  
31 board may waive the basic life support requirement for applicants  
32 who show reasonable cause.

33 (c) If the holder of a license does not renew the license on or before  
34 the renewal date specified by the health professions bureau, the license  
35 expires and becomes invalid without any action by the board.

36 (d) A license invalidated under subsection (c) may be reinstated by  
37 the board up to three (3) years after such invalidation upon ~~payment to~~  
38 ~~the board by the holder of the invalidated license of a penalty fee set by~~  
39 ~~the board under section 5 of this chapter plus all past due and current~~  
40 ~~renewal fees:~~ **meeting the requirements under IC 25-1-8-6.**

41 (e) If a license remains invalid under subsection (c) for more than  
42 three (3) years, the holder of the invalid license may obtain a reinstated

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1 license if the holder meets the following requirements:

2 ~~(1)~~ Files an application with the board on a form and in a manner  
3 prescribed by the board:

4 ~~(2)~~ Pays all current and past due renewal fees and a penalty fee  
5 set by the board under section 5 of this chapter. **(1) Meets the  
6 requirements under IC 25-1-8-6.**

7 ~~(3)~~ **(2)** Passes an examination on state and federal laws that are  
8 relevant to the practice of dental hygiene as determined by the  
9 board.

10 ~~(4)~~ **(3)** Has been continuously engaged in the practice of dental  
11 hygiene from the date the holder's license was invalidated through  
12 the date the holder applies for reinstatement.

13 ~~(5)~~ **(4)** Other than failing to renew the license, has complied with  
14 this chapter and the rules adopted under this chapter during the  
15 time specified under subdivision ~~(4)~~: **(3)**.

16 ~~(6)~~ **(5)** Complies with any other requirements established by the  
17 board under subsection (g).

18 The board may require the holder of an invalid license who files an  
19 application under this subsection to appear before the board and  
20 explain why the holder failed to renew the license.

21 (f) If the lapse of time in revalidating the license continues beyond  
22 three (3) years, and the holder of the invalid license does not meet the  
23 requirements under subsection (e), the holder of the invalid license  
24 must apply for licensure under section 4 or 17 of this chapter. In  
25 addition, the board may require the holder of the expired license to pay  
26 all past due renewal fees and a penalty fee set by the board under  
27 section 5 of this chapter.

28 (g) The board may adopt rules under section 5 of this chapter  
29 establishing requirements for the reinstatement of ~~an invalidated a~~  
30 **license that has been invalidated for more than three (3) years.**

31 (h) The license to practice must be displayed at all times in plain  
32 view of the patients in the office where the holder is engaged in  
33 practice. No person may lawfully practice dental hygiene who does not  
34 possess a license and its current renewal.

35 (i) Biennial renewals of licenses are subject to the provisions of  
36 IC 25-1-2.

37 SECTION 8. IC 25-13-2-9 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) **Subject to  
39 IC 25-1-4-3**, every two (2) years the board shall randomly audit for  
40 compliance more than one percent (1%) but less than ten percent  
41 (10%) of the dental hygienists required to take continuing education  
42 courses.

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1 (b) When requested by the board, a dental hygienist shall provide  
 2 the board with a copy of each verification of attendance retained by the  
 3 dental hygienist for the previous three (3) years.

4 SECTION 9. IC 25-14-1-10, AS AMENDED BY P.L.44-2000,  
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2001]: Sec. 10. (a) Unless renewed, a license issued by the  
 7 board expires on a date specified by the health professions bureau  
 8 under IC 25-1-5-4(k). An applicant for renewal shall pay the renewal  
 9 fee set by the board under section 13 of this chapter on or before the  
 10 renewal date specified by the health professions bureau.

11 (b) The license shall be properly displayed at all times in the office  
 12 of the person named as the holder of the license, and a person may not  
 13 be considered to be in legal practice if the person does not possess the  
 14 license and renewal card.

15 (c) If a holder of a dental license does not secure the renewal card  
 16 on or before the renewal date specified by the health professions  
 17 bureau, without any action by the board the license together with any  
 18 related renewal card is invalidated.

19 (d) Except as provided in section 27.1 of this chapter, a license  
 20 invalidated under subsection (c) may be reinstated by the board up to  
 21 three (3) years after its invalidation upon ~~payment of a penalty fee~~  
 22 ~~determined by the board under section 13 of this chapter, together with~~  
 23 ~~all unpaid renewal fees for each year of delinquency: meeting the~~  
 24 ~~requirements under IC 25-1-8-6.~~ **meeting the**  
 25 **requirements under IC 25-1-8-6.**

26 (e) Except as provided in section 27.1 of this chapter, if a license  
 27 remains invalid under subsection (c) for more than three (3) years, the  
 28 holder of the invalid license may obtain a reinstated license if the  
 29 holder meets the following requirements:

30 ~~(1) Files an application with the board on a form and in a manner~~  
 31 ~~prescribed by the board:~~

32 ~~(2) Pays all current and past due renewal fees and a penalty fee~~  
 33 ~~set by the board under section 13 of this chapter: (1) Meets the~~  
 34 ~~requirements under IC 25-1-8-6.~~ **(1) Meets the**  
 35 **requirements under IC 25-1-8-6.**

36 ~~(3) (2) Passes an examination on state and federal laws that are~~  
 37 ~~relevant to the practice of dentistry as determined by the board.~~

38 ~~(4) (3) Has been continuously engaged in the practice of dentistry~~  
 39 ~~from the date the holder's license was invalidated through the date~~  
 40 ~~the holder applies for reinstatement.~~

41 ~~(5) (4) Other than failing to obtain a renewal card, has complied~~  
 42 ~~with this chapter and the rules adopted under this chapter during~~  
 43 ~~the time specified under subdivision (4): (3).~~ **(3).**

~~(6) (5) Complies with any other requirements established by the~~

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

5 (f) If a license remains invalid under subsection (c) for more than  
 6 three (3) years and the holder of the invalid license does not meet the  
 7 requirements under subsection (e), the holder of the invalid license may  
 8 be issued a license only by reapplying for a license under section 3 or  
 9 16 of this chapter. In addition, the board may require the holder of the  
 10 invalidated license to pay all past due renewal fees and a penalty fee set  
 11 by the board under section 13 of this chapter.

12 (g) The board may adopt rules under section 13 of this chapter  
 13 establishing requirements for the reinstatement of ~~an invalid~~ a license  
 14 **that has been invalidated for more than three (3) years**. The fee for  
 15 a duplicate license to practice as a dentist is subject to IC 25-1-8-2.

16 (h) Biennial renewal of licenses is subject to IC 25-1-2.

17 (i) **Subject to IC 25-1-4-3**, an application for renewal of a license  
 18 under this section must contain a sworn statement signed by the  
 19 applicant attesting that the applicant has fulfilled the continuing  
 20 education requirements under IC 25-14-3.

21 SECTION 10. IC 25-14-3-11 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) **Subject to**  
 23 **IC 25-1-4-3**, every two (2) years the board shall randomly audit for  
 24 compliance at least one percent (1%) but not more than ten percent  
 25 (10%) of the dentists required to take continuing education courses.

26 (b) When requested by the board, a dentist shall provide the board  
 27 with a copy of each verification of attendance retained by the dentist  
 28 for the previous three (3) years.

29 SECTION 11. IC 25-14.5-6-2 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. A certified dietitian  
 31 may renew a certificate by:

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

36 SECTION 12. IC 25-14.5-6-4 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. A certificate may be  
 38 reinstated by the board up to three (3) years after its expiration if the  
 39 applicant for reinstatement

- 40 ~~(1) pays a penalty fee set by the board under IC 25-14.5-2-5(b)(5);~~  
 41 ~~(2) pays all past due renewal fees set by the board under~~  
 42 ~~IC 25-14.5-2-5(b)(3); and~~

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1           (3) provides evidence of obtaining the continuing education  
 2 requirements established by the board under IC 25-14.5-2-5(a)(4)  
 3 for each year or a portion of a year during which the applicant's  
 4 certificate was expired: **meets the requirements under**  
 5 **IC 25-1-8-6.**

6           SECTION 13. IC 25-14.5-6-7 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The board may issue  
 8 a certificate to the holder of an inactive certificate under section 6 of  
 9 this chapter if the applicant

- 10           (1) pays the renewal fee set by the board under
- 11           IC 25-14.5-2-5(b)(3);
- 12           (2) pays the reinstatement fee set by the board under
- 13           IC 25-14.5-2-5(b)(5); and
- 14           (3) provides evidence of obtaining the continuing education set by
- 15           the board under IC 25-14.5-2-5(a)(4) for each year or part of a
- 16           year during which the applicant's certificate has been classified as
- 17           inactive: **meets the requirements under IC 25-1-8-6.**

18           SECTION 14. IC 25-19-1-9 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) Every holder of  
 20 a health facility administrator's license shall renew it biennially, on or  
 21 before August 31 of even-numbered years by making an application to  
 22 the board. The renewals shall be granted as a matter of course, unless  
 23 the board finds, after due notice and hearing, that the applicant has  
 24 acted or failed to act in a manner or under circumstances that would  
 25 constitute grounds for nonrenewal, suspension, or revocation of a  
 26 license.

27           (b) A health facility administrator's license expires at midnight on  
 28 the renewal date specified by the health professions bureau. Failure to  
 29 renew a license on or before the renewal date automatically renders the  
 30 license invalid.

31           (c) A person who fails to renew a license before it expires and  
 32 becomes invalid at midnight of the renewal date shall be reinstated by  
 33 the board upon ~~payment of all current and delinquent renewal fees and~~  
 34 ~~an additional late fee set by the board by rule:~~ **meeting the**  
 35 **requirements under IC 25-1-8-6.** However, a person who fails to  
 36 apply to reinstate a license under this section within three (3) years  
 37 after the date the license expires and becomes invalid ~~may~~ **shall** be  
 38 issued a license by

- 39           (1) filing an application in the form and manner prescribed by the
- 40           board;
- 41           (2) paying all current and delinquent renewal fees;
- 42           (3) paying a late fee set by the board by rule under section 4 of

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~~this chapter; and~~  
~~(4) submitting proof of completion of continuing education in an amount set by the board by rule: meeting the requirements under IC 25-1-8-6.~~

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

SECTION 15. IC 25-20-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) The board shall issue hearing aid dealer certificates of registration which expire on June 30 of each even-numbered year. To renew a hearing aid dealer certificate of registration, the holder of the certificate must pay a renewal fee set by the board before June 30 of each even-numbered year.

(b) If the holder of a certificate does not renew the holder's hearing aid dealer certificate of registration before June 30 of an even-numbered year, the certificate expires without any action taken by the board.

(c) A holder of a hearing aid dealer certificate of registration that expires under this section ~~may~~ **shall** have the certificate reinstated by the board if the holder ~~pays the following:~~

- ~~(1) A late renewal fee set by the board.~~
- ~~(2) Unpaid renewal fees: **meets the requirements under IC 25-1-8-6.**~~

SECTION 16. IC 25-20-1-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 25. (a) This section applies only to a registrant who has held a certificate issued under this chapter for at least eighteen (18) months.

(b) To renew a hearing aid dealer certificate of registration issued under this chapter, a registrant must complete at least twenty (20) hours of credit in continuing education courses.

(c) To satisfy the requirements of subsection (b), a registrant may use only credit hours earned in continuing education courses completed by the registrant:

- (1) after the last date the registrant renewed a certificate under this chapter; or
- (2) if the registrant is renewing a certificate for the first time, after the date the registrant was issued the certificate under this chapter.

(d) A registrant may receive credit only for completing continuing education courses that have been approved by the committee, the American Speech-Language-Hearing Association, or the National Institute for Hearing Instrument Studies.

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1 (e) When a registrant renews a certificate issued under this chapter,  
2 the registrant must submit:

3 (1) a continuing education statement that:

4 (A) is on a form provided by the board;

5 (B) is signed by the registrant under oath;

6 (C) lists the continuing education courses completed by the  
7 registrant to satisfy the continuing education requirements  
8 under this section; and

9 (D) includes a photocopy or other exact copy of the original  
10 certificate of completion; and

11 (2) any other information required by the board:

12 (f) A registrant shall retain a copy of the original certificate of  
13 completion received by the registrant for completion of a continuing  
14 education course. **comply with IC 25-1-4-3.**

15 SECTION 17. IC 25-22.5-2-7 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The board shall do  
17 the following:

18 (1) Adopt rules and forms necessary to implement this article that  
19 concern, but are not limited to, the following areas:

20 (A) Qualification by education, residence, citizenship,  
21 training, and character for admission to an examination for  
22 licensure or by endorsement for licensure.

23 (B) The examination for licensure.

24 (C) The license or permit.

25 (D) Fees for examination, permit, licensure, and registration.

26 (E) Reinstatement of licenses and permits.

27 (F) Payment of costs in disciplinary proceedings conducted by  
28 the board.

29 **(G) Establishment of requirements for the reporting of**  
30 **continuing education on license renewal forms. The rules**  
31 **adopted under this clause must require a practitioner who**  
32 **seeks to renew a license under this article to sign a**  
33 **statement, on a license renewal form prescribed by the**  
34 **board, indicating the number of hours of continuing**  
35 **education completed during the license renewal period.**  
36 **The renewal form prescribed by the board must contain a**  
37 **statement recommending that a practitioner retain, for**  
38 **two (2) years following renewal of the practitioner's**  
39 **license, verification of the number of continuing education**  
40 **hours reported on the form.**

41 (2) Administer oaths in matters relating to the discharge of its  
42 official duties.

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- 1 (3) Enforce this article and assign service bureau personnel duties
- 2 as may be necessary in the discharge of the board's duty.
- 3 (4) Maintain, through the service bureau, full and complete
- 4 records of all applicants for licensure or permit and of all licenses
- 5 and permits issued.
- 6 (5) Make available, upon request, the complete schedule of
- 7 minimum requirements for licensure or permit.
- 8 (6) Issue, at the board's discretion, a temporary permit to an
- 9 applicant for the interim from the date of application until the
- 10 next regular meeting of the board.
- 11 (7) Issue an unlimited license, a limited license, or a temporary
- 12 medical permit, depending upon the qualifications of the
- 13 applicant, to any applicant who successfully fulfills all of the
- 14 requirements of this article.
- 15 (8) Adopt rules establishing standards for the competent practice
- 16 of medicine, osteopathic medicine, or any other form of practice
- 17 regulated by a limited license or permit issued under this article.
- 18 (9) Adopt rules regarding the appropriate prescribing of Schedule
- 19 III or Schedule IV controlled substances for the purpose of weight
- 20 reduction or to control obesity.

21 SECTION 18. IC 25-22.5-7-1 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A license issued  
 23 under this article expires on June 30 of each odd-numbered year.  
 24 Before June 30 of an odd-numbered year, an applicant for renewal shall  
 25 pay the biennial renewal fee set by the board under IC 25-22.5-2-7.

26 (b) If the holder of a license does not renew the license by June 30  
 27 of each odd-numbered year, the license expires and becomes invalid  
 28 without any action taken by the board. A license that becomes invalid  
 29 under this subsection may be reinstated by the board up to three (3)  
 30 years after the invalidation if the holder of the invalid license pays:

- 31 (1) the penalty fee set by the board under IC 25-22.5-2-7; and
- 32 (2) the renewal fee for the biennium.

33 (c) If a license that becomes invalid under this section is not  
 34 reinstated by the board within three (3) years of its invalidation, the  
 35 holder of the invalid license may be required by the board to take an  
 36 examination for competence before the board will reinstate the holder's  
 37 license.

38 (d) The board may adopt rules under IC 25-22.5-2-7 establishing  
 39 requirements for the reinstatement of a lapsed license.

40 (e) **Every two (2) years, the board may randomly audit, for the**  
 41 **purpose of verifying continuing education hours, at least one**  
 42 **percent (1%) but not more than ten percent (10%) of the**

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1 **practitioners who report continuing education hours on the license**  
 2 **renewal form under IC 25-22.5-2-7(1)(G).**

3 SECTION 19. IC 25-23-1-7 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The board shall  
 5 do the following:

6 (1) Adopt under IC 4-22-2 rules necessary to enable it to carry  
 7 into effect this chapter.

8 (2) Prescribe standards and approve curricula for nursing  
 9 education programs preparing persons for licensure under this  
 10 chapter.

11 (3) Provide for surveys of such programs at such times as it  
 12 considers necessary.

13 (4) Accredite such programs as meet the requirements of this  
 14 chapter and of the board.

15 (5) Deny or withdraw accreditation from nursing education  
 16 programs for failure to meet prescribed curricula or other  
 17 standards.

18 (6) Examine, license, and renew the license of qualified  
 19 applicants.

20 (7) Issue subpoenas, compel the attendance of witnesses, and  
 21 administer oaths to persons giving testimony at hearings.

22 (8) Cause the prosecution of all persons violating this chapter and  
 23 have power to incur necessary expenses for these prosecutions.

24 (9) Adopt rules under IC 4-22-2 that do the following:

25 (A) Prescribe standards for the competent practice of  
 26 registered, practical, and advanced practice nursing.

27 (B) Establish with the approval of the medical licensing board  
 28 created by IC 25-22.5-2-1 requirements that advanced practice  
 29 nurses must meet to be granted authority to prescribe legend  
 30 drugs and to retain that authority.

31 **(C) Establish requirements for the reporting of continuing**  
 32 **education on license renewal forms. The rules adopted**  
 33 **under this clause must require a nurse who seeks to renew**  
 34 **a license under this article to sign a statement, on a license**  
 35 **renewal form prescribed by the board, indicating the**  
 36 **number of hours of continuing education completed during**  
 37 **the license renewal period. The renewal form prescribed**  
 38 **by the board must contain a statement recommending that**  
 39 **a nurse retain, for two (2) years following renewal of the**  
 40 **nurse's license, verification of the number of continuing**  
 41 **education hours reported on the form. For the purposes of**  
 42 **this clause, continuing education includes in-service**

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- 1                   **training and educational seminars.**  
 2                   (10) Keep a record of all its proceedings.  
 3                   (11) Collect and distribute annually demographic information on  
 4                   the number and type of registered nurses and licensed practical  
 5                   nurses employed in Indiana.  
 6                   (12) Notify each registered nurse and licensed practical nurse  
 7                   residing in Indiana when final rules concerning the practice of  
 8                   nursing are published in the Indiana register.  
 9                   (b) The board may do the following:  
 10                   (1) Create ad hoc subcommittees representing the various nursing  
 11                   specialties and interests of the profession of nursing. Persons  
 12                   appointed to a subcommittee serve for terms as determined by the  
 13                   board.  
 14                   (2) Utilize the appropriate subcommittees so as to assist the board  
 15                   with its responsibilities. The assistance provided by the  
 16                   subcommittees may include the following:  
 17                   (A) Recommendation of rules necessary to carry out the duties  
 18                   of the board.  
 19                   (B) Recommendations concerning educational programs and  
 20                   requirements.  
 21                   (C) Recommendations regarding examinations and licensure  
 22                   of applicants.  
 23                   (3) Appoint nurses to serve on each of the ad hoc subcommittees.  
 24                   (c) Nurses appointed under subsection (b) must:  
 25                   (1) be committed to advancing and safeguarding the nursing  
 26                   profession as a whole; and  
 27                   (2) represent nurses who practice in the field directly affected by  
 28                   a subcommittee's actions.  
 29                   SECTION 20. IC 25-23-1-16.1 IS AMENDED TO READ AS  
 30                   FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16.1. (a) A license to  
 31                   practice as a registered nurse expires on October 31 in each  
 32                   odd-numbered year. Failure to renew the license on or before the  
 33                   expiration date will automatically render the license invalid without  
 34                   any action by the board.  
 35                   (b) A license to practice as a licensed practical nurse expires on  
 36                   October 31 in each even-numbered year. Failure to renew the license  
 37                   on or before the expiration date will automatically render the license  
 38                   invalid without any action by the board.  
 39                   (c) The procedures and fee for renewal shall be set by the board.  
 40                   (d) At the time of license renewal, each registered nurse and each  
 41                   licensed practical nurse shall pay an additional three dollar (\$3) fee.  
 42                   The lesser of the following amounts from fees collected under this

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1 subsection shall be deposited in the impaired nurses account of the  
2 state general fund established by section 34 of this chapter:

- 3 (1) Three dollars (\$3) per license renewed under this section.
- 4 (2) The cost per license to operate the impaired nurses program,  
5 as determined by the health professions bureau.

6 **(e) Every two (2) years, the board may randomly audit, for the**  
7 **purpose of verifying continuing education hours, at least one**  
8 **percent (1%) but not more than ten percent (10%) of the nurses**  
9 **who report continuing education hours on the license renewal form**  
10 **under section 7(a)(9)(C) of this chapter.**

11 SECTION 21. IC 25-23-1-18 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) Any person who  
13 fails to renew a license before it expires shall be reinstated by the board  
14 upon payment of the renewal fee and an additional late fee set by the  
15 board by rule: **meeting the requirements under IC 25-1-8-6.**

16 (b) A person who fails to apply to reinstate a license under this  
17 section within three (3) years after the date it expires may be issued a  
18 license by the board if the person

- 19 (1) ~~files an application with the board in a form and manner~~  
20 ~~prescribed by the board;~~
- 21 (2) ~~pays the renewal fee, all delinquent renewal fees, and a late~~  
22 ~~fee established by the board; and~~
- 23 (3) ~~if required by the board, submits proof to the board that the~~  
24 ~~person has completed a continuing education requirement~~  
25 ~~established by the board: **meets the requirements under**~~  
26 ~~**IC 25-1-8-6.**~~

27 SECTION 22. IC 25-23-1-19.7, AS ADDED BY P.L.83-2000,  
28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2001]: Sec. 19.7. (a) This subsection applies to an applicant  
30 for renewal who has never received a renewal of prescriptive authority  
31 under section 19.5 of this chapter and whose prescriptive authority has  
32 never lapsed. If the applicant was initially granted prescriptive  
33 authority:

- 34 (1) less than twelve (12) months before the expiration date of the  
35 prescriptive authority, no continuing education is required; or
- 36 (2) at least twelve (12) months before the expiration date of the  
37 prescriptive authority, the applicant shall, ~~submit proof subject to~~  
38 ~~**IC 25-1-4-3,**~~ **attest** to the board that the applicant has  
39 successfully completed at least fifteen (15) contact hours of  
40 continuing education. The hours must:
  - 41 (A) be completed after the prescriptive authority was granted  
42 and before the expiration of the prescriptive authority;

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1 (B) include at least four (4) contact hours of pharmacology;  
2 and

3 (C) be approved by a nationally approved sponsor of  
4 continuing education for nurses, approved by the board, and  
5 listed by the health professions bureau as approved hours.

6 (b) This subsection applies to an applicant for renewal of  
7 prescriptive authority under section 19.5 of this chapter who is not  
8 described in subsection (a). The applicant shall, ~~submit proof subject~~  
9 **to IC 25-1-4-3, attest** to the board that the applicant has successfully  
10 completed at least thirty (30) contact hours of continuing education.  
11 The hours must:

12 (1) be completed within the two (2) years immediately preceding  
13 the renewal;

14 (2) include at least eight (8) contact hours of pharmacology; and

15 (3) be approved by a nationally approved sponsor of continuing  
16 education for nurses, be approved by the board, and be listed by  
17 the health professions bureau as approved hours.

18 SECTION 23. IC 25-23.5-5-10 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The committee  
20 ~~may shall~~ reinstate an invalid certificate up to three (3) years after the  
21 expiration date of the certificate if the person holding the invalid  
22 certificate

23 ~~(1) pays a penalty fee for late renewal; and~~

24 ~~(2) pays the renewal fee under section 9(b) of this chapter. meets~~  
25 **the requirements under IC 25-1-8-6.**

26 (b) If more than three (3) years have elapsed since the date a  
27 certificate expired, the person holding the certificate may renew the  
28 certificate by satisfying the requirements for renewal established by the  
29 board **and meeting the requirements under IC 25-1-8-6.**

30 SECTION 24. IC 25-23.6-1-1.7 IS ADDED TO THE INDIANA  
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2001]: **Sec. 1.7. "Bachelor's social worker"**  
33 **means an individual who is licensed under IC 25-23.6-5-0.5.**

34 SECTION 25. IC 25-23.6-1-3.8 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3.8. Except as provided  
36 in IC 25-23.6-7-5, as used in this chapter, "counselor" refers to a  
37 **bachelor's social worker**, social worker, clinical social worker,  
38 marriage and family therapist, or a mental health counselor who is  
39 licensed under this article.

40 SECTION 26. IC 25-23.6-2-8 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The board shall  
42 adopt rules under IC 4-22-2 establishing standards for the following:

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- 1 (1) The competent practice of marriage and family therapy, social  
 2 work, clinical social work, and mental health counseling.  
 3 (2) The renewal of licenses issued under this article.  
 4 (3) Standards for the administration of this article.  
 5 (4) Continuing education requirements for an individual seeking  
 6 renewal of licensure as a **bachelor's social worker**, social  
 7 worker, clinical social worker, or marriage and family therapist.  
 8 (5) The retention of patient records and reports by a counselor.  
 9 (6) The approval of continuing education providers, programs,  
 10 courses, fees, and proof of course completion.  
 11 (b) The board shall establish fees under IC 25-1-8-2.  
 12 (c) The board shall do the following:  
 13 (1) Consider the qualifications of individuals who apply for a  
 14 license under this article.  
 15 (2) Provide for examinations required under this article.  
 16 (3) **Subject to IC 25-1-8-6**, renew licenses under this article.  
 17 (4) Conduct proceedings under IC 25-1-9.
- 18 SECTION 27. IC 25-23.6-5-0.5 IS ADDED TO THE INDIANA  
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2001]: **Sec. 0.5. (a) An individual who applies  
 21 for a license as a bachelor's social worker must meet the following  
 22 requirements:**  
 23 **(1) Furnish satisfactory evidence to the board that the  
 24 individual:**  
 25 **(A) has received at least a bachelor's degree in social work  
 26 from:**  
 27 **(i) an institution of higher education that is accredited or  
 28 approved for candidacy by the Council on Social Work  
 29 Education or approved by the board; or**  
 30 **(ii) a foreign school that has a program of study that is  
 31 approved by the Foreign Equivalency Determination  
 32 Service of the Council on Social Work Education; and**  
 33 **(B) will, after receiving a bachelor's social worker license  
 34 under this section, practice social work under the  
 35 supervision of a licensed social worker, a licensed clinical  
 36 social worker, or an equivalent supervisor, as determined  
 37 by the board, for the equivalent of two (2) years.**  
 38 **(2) Furnish satisfactory evidence to the board that the  
 39 individual does not have a conviction for a crime that has a  
 40 direct bearing on the individual's ability to practice  
 41 competently.**  
 42 **(3) Furnish satisfactory evidence to the board that the**

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1 individual has not been the subject of a disciplinary action by  
 2 a licensing or certification agency of another state or  
 3 jurisdiction on the grounds that the individual was not able to  
 4 practice as a social worker without endangering the public.

5 (4) Pass a basic examination required by the board.

6 (5) Pay the fee established by the board.

7 (b) The scope of practice of an individual licensed under this  
 8 section is the same as the scope of practice of a social worker  
 9 licensed under section 1 of this chapter.

10 SECTION 28. IC 25-23.6-5-4 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. An individual who  
 12 satisfies the requirements of:

13 (1) section 1, 1.5, or 2 of this chapter; and

14 (2) section 3 of this chapter;

15 may take the examination provided by the board.

16 SECTION 29. IC 25-23.6-5-10 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The board may  
 18 reinstate an invalid license up to three (3) years after the expiration  
 19 date of the license if the individual holding the invalid license

20 ~~(1) pays a penalty fee for late renewal;~~

21 ~~(2) pays the renewal fee under section 9(b) of this chapter; and~~

22 ~~(3) completes the continuing education requirement.~~ **meets the**  
 23 **requirements under IC 25-1-8-6.**

24 (b) If more than three (3) years have elapsed since the date a license  
 25 expired, the individual holding the license may renew the license by  
 26 satisfying the requirements for renewal established by the board **and**  
 27 **meeting the requirements under IC 25-1-8-6.**

28 SECTION 30. IC 25-23.6-5-11 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) The board may  
 30 issue a temporary permit to an individual to profess to be a **bachelor's**  
 31 **social worker**, social worker, or clinical social worker if the individual  
 32 pays a fee and the individual:

33 (1) has a valid license or certificate to practice from another state  
 34 and the individual has passed an examination substantially  
 35 equivalent to the level for which licensure is being requested;

36 (2) is practicing in a state that does not license or certify social  
 37 workers or clinical social workers, but is certified by a national  
 38 association approved by the board and the individual has applied  
 39 for a license from the board; or

40 (3) has been approved by the board to take the examination and  
 41 has graduated from a school or program approved by the board  
 42 and the individual has completed any experience requirement.

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1 (b) A temporary permit expires the earlier of:  
 2 (1) the date the individual holding the permit is issued a license  
 3 under this article;  
 4 (2) the date the board disapproves the individual's license  
 5 application; or  
 6 (3) one hundred eighty (180) days after the initial permit is issued.  
 7 (c) The board may renew a temporary permit if the individual  
 8 holding the permit was scheduled to take the next examination and the  
 9 individual:  
 10 (1) did not take the examination; and  
 11 (2) shows good cause for not taking the examination.  
 12 (d) A permit renewed under subsection (c) expires on the date the  
 13 individual holding the permit receives the results from the next  
 14 examination given after the permit was issued, and may not be  
 15 extended if the applicant has failed the examination.  
 16 SECTION 31. IC 25-23.6-8-9 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The board may  
 18 reinstate an invalid license up to three (3) years after the expiration  
 19 date of the license if the individual holding the invalid license  
 20 ~~(1) pays a penalty fee for late renewal;~~  
 21 ~~(2) pays the renewal fee under section 8(b) of this chapter; and~~  
 22 ~~(3) completes the continuing education requirement. **meets the**~~  
 23 ~~**requirements under IC 25-1-8-6.**~~  
 24 (b) If more than three (3) years have elapsed since the date a license  
 25 expired, the individual holding the license may renew the license by  
 26 satisfying the requirements for renewal established by the board **and**  
 27 **meeting the requirements under IC 25-1-8-6.**  
 28 SECTION 32. IC 25-23.6-8.5-9 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The board may  
 30 reinstate an invalid license up to three (3) years after the expiration  
 31 date of the license if the individual holding the invalid license  
 32 ~~(1) pays a penalty fee for late renewal;~~  
 33 ~~(2) pays the renewal fee under section 8(b) of this chapter; and~~  
 34 ~~(3) completes the continuing education requirement. **meets the**~~  
 35 ~~**requirements under IC 25-1-8-6.**~~  
 36 (b) If more than three (3) years have elapsed since the date a license  
 37 expired, the individual holding the license may reinstate the invalid  
 38 license by satisfying the requirements for reinstatement established by  
 39 the board **and meeting the requirements under IC 25-1-8-6.**  
 40 SECTION 33. IC 25-24-1-14 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) In each  
 42 even-numbered year, the bureau shall issue a sixty (60) day notice of

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1 expiration and a license renewal application in accordance with  
 2 IC 25-1-5-4 to each optometrist licensed in Indiana. The application  
 3 shall be mailed to the last known address of the optometrist and shall  
 4 contain spaces for the insertion of the licensee's name, address, date,  
 5 and number of the license, and such other information and questions as  
 6 the board considers necessary. The licensee shall complete, sign, and  
 7 return the application for license renewal, together with a fee set by the  
 8 board under section 1 of this chapter, before April 1 of each  
 9 even-numbered year.

10 (b) Upon the receipt of the application and fee, and upon the same  
 11 being properly verified, the board shall issue a renewal of license.

12 (c) The payment of the renewal fee must be made on or before April  
 13 1 of each even-numbered year. The applicant's license expires and  
 14 becomes invalid if the applicant has not paid the renewal fee by April  
 15 1 of each even-numbered year. The license ~~may~~ **shall** be reinstated by  
 16 the board up to three (3) years after its expiration if the applicant for  
 17 reinstatement

18 ~~(1) pays a penalty fee set by the board under section 1 of this~~  
 19 ~~chapter;~~

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

22 ~~(3) provides evidence of obtaining the continuing education~~  
 23 ~~required by the board under section 1 of this chapter for each~~  
 24 ~~year, or portion of a year, during which the applicant's license was~~  
 25 ~~expired: **meets the requirements under IC 25-1-8-6.**~~

26 (d) Reinstatement of an expired license after the expiration of the  
 27 three (3) year period provided in subsection (c) is dependent upon  
 28 reexamination of the applicant by the board.

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

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

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

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

41 (3) ~~provides evidence of obtaining~~ **subject to IC 25-1-4-3, attests**  
 42 **that the applicant obtained** the continuing education required by

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1 the board under section 1 of this chapter for each year, or portion  
 2 of a year during which the applicant's license has been classified  
 3 as inactive.

4 SECTION 34. IC 25-26-13-14 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) A pharmacist's  
 6 license expires July 1 of each even-numbered year, unless renewed  
 7 before that date.

8 (b) If an application for renewal is not filed and the required fee  
 9 paid before July 1 of each even-numbered year, the license expires and  
 10 becomes invalid, and may be reinstated only by ~~paying the late license~~  
 11 ~~fee and the appropriate license renewal fee.~~ **meeting the requirements**  
 12 **under IC 25-1-8-6.**

13 (c) ~~Proof of having~~ **Subject to IC 25-1-4-3, a statement attesting**  
 14 **that the pharmacist has** met the continuing education requirements  
 15 shall be submitted with the application for license renewal.

16 (d) If a pharmacist surrenders the pharmacist's license to practice  
 17 pharmacy in Indiana, the board may subsequently consider  
 18 reinstatement of the pharmacist's license upon written request of the  
 19 pharmacist. The board may impose any conditions it considers  
 20 appropriate to the surrender or to the reinstatement of a surrendered  
 21 license. The practitioner may not voluntarily surrender the  
 22 practitioner's license to the board without the written consent of the  
 23 board if any disciplinary proceedings are pending against the  
 24 practitioner under this chapter or IC 25-1-9.

25 (e) If a person fails to renew a license that expires under subsection  
 26 (a) within ~~five (5)~~ **three (3)** years after the date the license expires, the  
 27 board may reinstate the license only if the person:

28 ~~(1) files an application in a form and manner prescribed by the~~  
 29 ~~board;~~

30 ~~(2) pays the renewal fee; a delinquent renewal fee; and a late fee~~  
 31 ~~established by the board;~~

32 ~~(3) submits proof to the board that the person has completed a~~  
 33 ~~continuing education requirement established by the board; (1)~~  
 34 **meets the requirements under IC 25-1-8-6; and**

35 ~~(4) (2) passes an examination concerning state and federal laws~~  
 36 ~~that the board considers relevant to the practice of pharmacy.~~

37 (f) The board may require a person who applies for a license under  
 38 subsection (e) to appear before the board and explain the reason the  
 39 person failed to renew the person's license.

40 SECTION 35. IC 25-26-14-21 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. (a) A wholesale  
 42 drug distributor license expires at midnight of the renewal date

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1 specified by the health professions bureau under IC 25-1-5-4 in each  
2 even-numbered year.

3 (b) The board shall mail renewal application forms to each licensed  
4 wholesale drug distributor before the first day of the month before the  
5 month in which the license expires. If an application for renewal has  
6 not been filed and the required fee paid before the license expiration  
7 date, the wholesale drug distributor license shall lapse and become  
8 void.

9 (c) A lapsed license may be reinstated only by ~~paying all renewal~~  
10 ~~fees and, if the license has lapsed for more than thirty (30) days, a late~~  
11 ~~fee.~~ **meeting the requirements under IC 25-1-8-6.**

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

14 SECTION 36. IC 25-27.5-4-6 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) The committee  
16 ~~may~~ **shall** reinstate an invalid certificate up to three (3) years after the  
17 expiration date of the certificate if the individual holding the invalid  
18 certificate

- 19 ~~(1) pays a penalty fee for late renewal; and~~
- 20 ~~(2) pays the renewal fee under section 5(b) of this chapter.~~ **meets**  
21 **the requirements under IC 25-1-8-6.**

22 (b) If more than three (3) years have elapsed since the date a  
23 certificate expired, the individual holding the certificate may renew the  
24 certificate by satisfying the requirements for renewal established by the  
25 board **and meeting the requirements under IC 25-1-8-6.**

26 SECTION 37. IC 25-33-1-10 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) A license issued  
28 under this article expires September 1 of each even-numbered year. A  
29 renewal fee established by the board under section 3 of this chapter  
30 must be paid by an applicant for renewal before the license expires.

31 (b) If the holder of an expired license fails to renew the license on  
32 or before the renewal date, the license expires and becomes invalid  
33 without any further action by the board.

34 (c) A license that expires and becomes invalid under this section  
35 may be renewed by the board up to three (3) years after the date of the  
36 expiration of the license if the applicant

- 37 ~~(1) pays a penalty fee set by the board under section 3 of this~~  
38 ~~chapter; and~~
- 39 ~~(2) pays renewal fees accrued during the period the license was~~  
40 ~~invalid.~~ **meets the requirements under IC 25-1-8-6.**

41 (d) If a license has been invalidated under this section for more than  
42 three (3) years, the holder of the license may receive a new license

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1 from the board only if the holder:

2 ~~(1)~~ files an application in a form and manner prescribed by the  
3 board;

4 ~~(2)~~ pays the renewal fee, a delinquent renewal fee, and a late fee  
5 established by the board;

6 ~~(3)~~ submits proof to the board that the person has completed a  
7 continuing education requirement established by the board; **(1)**  
8 **meets the requirements under IC 25-1-8-6;** and

9 ~~(4)~~ **(2)** passes an examination concerning state and federal laws  
10 that the board considers relevant to the practice of psychology.

11 (e) The board may adopt rules establishing requirements for  
12 reinstatement of a license invalidated **for more than three (3) years**  
13 under this section.

14 (f) An initial license issued under this article is valid for the  
15 remainder of the renewal period in effect on the date of issuance.

16 (g) The board may require a person who applies for a license under  
17 subsection (d) to appear before the board and explain the reason the  
18 person failed to renew the person's license.

19 SECTION 38. IC 25-33-2-4 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) **Subject to**  
21 **IC 25-1-4-3**, every two (2) years the board shall randomly audit  
22 licensed psychologists to ensure compliance of the continuing  
23 education requirement.

24 (b) When requested by the board, a psychologist shall provide the  
25 board with a copy of each verification of attendance retained by the  
26 psychologist for the previous ~~five (5)~~ **three (3)** years.

27 SECTION 39. IC 25-34.5-2-10, AS AMENDED BY P.L.60-2000,  
28 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2001]: Sec. 10. (a) The committee shall, under IC 25-1-2,  
30 renew every two (2) years the license of a practitioner who:

31 (1) meets the continuing education requirements established by  
32 rule by the board; and

33 (2) pays the fee set by the board.

34 (b) If a practitioner does not renew the practitioner's license before  
35 its expiration, the practitioner's license becomes invalid without action  
36 taken by the committee. A license that becomes invalid under this  
37 subsection may be reinstated by the committee up to three (3) years  
38 after its invalidation if the practitioner who holds an invalid license  
39 pays the following:

40 ~~(1) A penalty set by the board.~~

41 ~~(2) The renewal fee for the biennium.~~ **meets the requirements**  
42 **under IC 25-1-8-6.**

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1 (c) If a license that becomes invalid under subsection (b) is not  
2 reinstated by the committee within three (3) years of its invalidation,  
3 the holder of the invalid license may be required by the committee to  
4 take an examination for competence before the committee will reinstate  
5 the license.

6 (d) The board may adopt rules under IC 4-22-2 establishing  
7 requirements for reinstatement of an invalid license after consideration  
8 of a recommendation of the committee.

9 (e) The board shall accept continuing education courses in the  
10 following areas toward fulfillment of the requirements of subsection  
11 (a):

- 12 (1) Management of the practice of respiratory care.
- 13 (2) Courses concerning the practice of respiratory care that enable
- 14 individuals to teach continuing education courses for respiratory
- 15 care practitioners.
- 16 (3) The practice of respiratory care.

17 SECTION 40. IC 25-35.6-3-6 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) Licenses issued  
19 under this article expire, if not renewed, before January 1 of each  
20 even-numbered year.

21 (b) Every person licensed under this article shall pay a fee for  
22 renewal of the person's license before January 1 of each  
23 even-numbered year. The board may ~~in the event payment of the~~  
24 ~~renewal fee is tendered after December 31 of any odd-numbered year;~~  
25 ~~reinstate a lapsed license upon payment of the renewal of license fee~~  
26 ~~plus a late renewal fee in an amount set by the board by rule: the~~  
27 ~~person's meeting the requirements under IC 25-1-8-6.~~ No person  
28 who requests reinstatement of the person's license, whose license has  
29 expired, shall be required to submit to examination as a condition to  
30 reinstatement, if the application for reinstatement is made within ~~two~~  
31 ~~(2)~~ **three (3)** years from the date of the expiration.

32 (c) A suspended license is subject to expiration and may be renewed  
33 or reinstated as provided in this section, but a renewal or reinstatement  
34 shall not entitle the licensee, while the license remains suspended and  
35 until it is reinstated, to engage in the licensed activity, or in any other  
36 conduct or activity in violation of the order or judgment by which the  
37 license was suspended.

38 (d) Any person who fails to renew the person's license within ~~two~~  
39 ~~(2)~~ **three (3)** years after the date of its expiration may not renew it, and  
40 it may not be subsequently restored, reissued, or reinstated, but the  
41 person may apply for and obtain a new license if the person meets the  
42 requirements of this article.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 428, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 428 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 428, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 12, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 17. IC 25-22.5-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The board shall do the following:

- (1) Adopt rules and forms necessary to implement this article that concern, but are not limited to, the following areas:
  - (A) Qualification by education, residence, citizenship, training, and character for admission to an examination for licensure or by endorsement for licensure.
  - (B) The examination for licensure.
  - (C) The license or permit.
  - (D) Fees for examination, permit, licensure, and registration.
  - (E) Reinstatement of licenses and permits.
  - (F) Payment of costs in disciplinary proceedings conducted by the board.
  - (G) Establishment of requirements for the reporting of continuing education on license renewal forms. The rules adopted under this clause must require a practitioner who seeks to renew a license under this article to sign a statement, on a license renewal form prescribed by the board, indicating the number of hours of continuing education completed during the license renewal period. The renewal form prescribed by the board must contain a statement recommending that a practitioner retain, for two (2) years following renewal of the practitioner's license, verification of the number of continuing education hours reported on the form.**
- (2) Administer oaths in matters relating to the discharge of its official duties.
- (3) Enforce this article and assign service bureau personnel duties as may be necessary in the discharge of the board's duty.
- (4) Maintain, through the service bureau, full and complete records of all applicants for licensure or permit and of all licenses and permits issued.
- (5) Make available, upon request, the complete schedule of minimum requirements for licensure or permit.
- (6) Issue, at the board's discretion, a temporary permit to an

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applicant for the interim from the date of application until the next regular meeting of the board.

(7) Issue an unlimited license, a limited license, or a temporary medical permit, depending upon the qualifications of the applicant, to any applicant who successfully fulfills all of the requirements of this article.

(8) Adopt rules establishing standards for the competent practice of medicine, osteopathic medicine, or any other form of practice regulated by a limited license or permit issued under this article.

(9) Adopt rules regarding the appropriate prescribing of Schedule III or Schedule IV controlled substances for the purpose of weight reduction or to control obesity.

SECTION 18. IC 25-22.5-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A license issued under this article expires on June 30 of each odd-numbered year. Before June 30 of an odd-numbered year, an applicant for renewal shall pay the biennial renewal fee set by the board under IC 25-22.5-2-7.

(b) If the holder of a license does not renew the license by June 30 of each odd-numbered year, the license expires and becomes invalid without any action taken by the board. A license that becomes invalid under this subsection may be reinstated by the board up to three (3) years after the invalidation if the holder of the invalid license pays:

- (1) the penalty fee set by the board under IC 25-22.5-2-7; and
- (2) the renewal fee for the biennium.

(c) If a license that becomes invalid under this section is not reinstated by the board within three (3) years of its invalidation, the holder of the invalid license may be required by the board to take an examination for competence before the board will reinstate the holder's license.

(d) The board may adopt rules under IC 25-22.5-2-7 establishing requirements for the reinstatement of a lapsed license.

**(e) Every two (2) years, the board may randomly audit, for the purpose of verifying continuing education hours, at least one percent (1%) but not more than ten percent (10%) of the practitioners who report continuing education hours on the license renewal form under IC 25-22.5-2-7(1)(G).**

SECTION 19. IC 25-23-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The board shall do the following:

- (1) Adopt under IC 4-22-2 rules necessary to enable it to carry into effect this chapter.
- (2) Prescribe standards and approve curricula for nursing



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education programs preparing persons for licensure under this chapter.

(3) Provide for surveys of such programs at such times as it considers necessary.

(4) Accredite such programs as meet the requirements of this chapter and of the board.

(5) Deny or withdraw accreditation from nursing education programs for failure to meet prescribed curricula or other standards.

(6) Examine, license, and renew the license of qualified applicants.

(7) Issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings.

(8) Cause the prosecution of all persons violating this chapter and have power to incur necessary expenses for these prosecutions.

(9) Adopt rules under IC 4-22-2 that do the following:

(A) Prescribe standards for the competent practice of registered, practical, and advanced practice nursing.

(B) Establish with the approval of the medical licensing board created by IC 25-22.5-2-1 requirements that advanced practice nurses must meet to be granted authority to prescribe legend drugs and to retain that authority.

**(C) Establish requirements for the reporting of continuing education on license renewal forms. The rules adopted under this clause must require a nurse who seeks to renew a license under this article to sign a statement, on a license renewal form prescribed by the board, indicating the number of hours of continuing education completed during the license renewal period. The renewal form prescribed by the board must contain a statement recommending that a nurse retain, for two (2) years following renewal of the nurse's license, verification of the number of continuing education hours reported on the form. For the purposes of this clause, continuing education includes in-service training and educational seminars.**

(10) Keep a record of all its proceedings.

(11) Collect and distribute annually demographic information on the number and type of registered nurses and licensed practical nurses employed in Indiana.

(12) Notify each registered nurse and licensed practical nurse residing in Indiana when final rules concerning the practice of nursing are published in the Indiana register.

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- (b) The board may do the following:
- (1) Create ad hoc subcommittees representing the various nursing specialties and interests of the profession of nursing. Persons appointed to a subcommittee serve for terms as determined by the board.
  - (2) Utilize the appropriate subcommittees so as to assist the board with its responsibilities. The assistance provided by the subcommittees may include the following:
    - (A) Recommendation of rules necessary to carry out the duties of the board.
    - (B) Recommendations concerning educational programs and requirements.
    - (C) Recommendations regarding examinations and licensure of applicants.
  - (3) Appoint nurses to serve on each of the ad hoc subcommittees.
- (c) Nurses appointed under subsection (b) must:
- (1) be committed to advancing and safeguarding the nursing profession as a whole; and
  - (2) represent nurses who practice in the field directly affected by a subcommittee's actions.

SECTION 20. IC 25-23-1-16.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16.1. (a) A license to practice as a registered nurse expires on October 31 in each odd-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

(b) A license to practice as a licensed practical nurse expires on October 31 in each even-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

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

(d) At the time of license renewal, each registered nurse and each licensed practical nurse shall pay an additional three dollar (\$3) fee. The lesser of the following amounts from fees collected under this subsection shall be deposited in the impaired nurses account of the state general fund established by section 34 of this chapter:

- (1) Three dollars (\$3) per license renewed under this section.
- (2) The cost per license to operate the impaired nurses program, as determined by the health professions bureau.

**(e) Every two (2) years, the board may randomly audit, for the purpose of verifying continuing education hours, at least one percent (1%) but not more than ten percent (10%) of the nurses**



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**who report continuing education hours on the license renewal form under section 7(a)(9)(C) of this chapter."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 428 as printed March 2, 2001.)

BROWN C, Chair

Committee Vote: yeas 12, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 428 be amended to read as follows:

Page 17, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 24. IC 25-23.6-1-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2001]: **Sec. 1.7. "Bachelor's social worker" means an individual who is licensed under IC 25-23.6-5-0.5.**

SECTION 25. IC 25-23.6-1-3.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3.8. Except as provided in IC 25-23.6-7-5, as used in this chapter, "counselor" refers to a **bachelor's social worker**, social worker, clinical social worker, marriage and family therapist, or a mental health counselor who is licensed under this article."

Page 17, line 35, after "as a" insert "**bachelor's social worker**,".

Page 18, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 27. IC 25-23.6-5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2001]: **Sec. 0.5. (a) An individual who applies for a license as a bachelor's social worker must meet the following requirements:**

**(1) Furnish satisfactory evidence to the board that the individual:**

**(A) has received at least a bachelor's degree in social work from:**

**(i) an institution of higher education that is accredited or approved for candidacy by the Council on Social Work Education or approved by the board; or**

**(ii) a foreign school that has a program of study that is approved by the Foreign Equivalency Determination Service of the Council on Social Work Education; and**

**(B) will, after receiving a bachelor's social worker license under this section, practice social work under the supervision of a licensed social worker, a licensed clinical social worker, or an equivalent supervisor, as determined by the board, for the equivalent of two (2) years.**

**(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.**

**(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by**

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a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a social worker without endangering the public.

(4) Pass a basic examination required by the board.

(5) Pay the fee established by the board.

(b) The scope of practice of an individual licensed under this section is the same as the scope of practice of a social worker licensed under section 1 of this chapter.

SECTION 28. IC 25-23.6-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. An individual who satisfies the requirements of:

(1) section 1, 1.5, or 2 of this chapter; and

(2) section 3 of this chapter;

may take the examination provided by the board."

Page 18, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 30. IC 25-23.6-5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) The board may issue a temporary permit to an individual to profess to be a **bachelor's social worker**, social worker, or clinical social worker if the individual pays a fee and the individual:

(1) has a valid license or certificate to practice from another state and the individual has passed an examination substantially equivalent to the level for which licensure is being requested;

(2) is practicing in a state that does not license or certify social workers or clinical social workers, but is certified by a national association approved by the board and the individual has applied for a license from the board; or

(3) has been approved by the board to take the examination and has graduated from a school or program approved by the board and the individual has completed any experience requirement.

(b) A temporary permit expires the earlier of:

(1) the date the individual holding the permit is issued a license under this article;

(2) the date the board disapproves the individual's license application; or

(3) one hundred eighty (180) days after the initial permit is issued.

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

(1) did not take the examination; and

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

(d) A permit renewed under subsection (c) expires on the date the

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individual holding the permit receives the results from the next examination given after the permit was issued, and may not be extended if the applicant has failed the examination."

Renumber all SECTIONS consecutively.

(Reference is to ESB 428 as printed March 30, 2001.)

BISCHOFF

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 428 be amended to read as follows:

Page 5, between lines 34 and 35, begin a new paragraph and insert:  
**"Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved."**

Page 5, line 35, delete "(5)" and insert "**(6)**".

(Reference is to ESB 428 as printed March 30, 2001.)

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