

Adopted	Rejected
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## COMMITTEE REPORT

<b>YES:</b>	<b>12</b>
<b>NO:</b>	<b>0</b>

### 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:*

- 1           Page 12, between lines 11 and 12, begin a new paragraph and insert:
- 2           "SECTION 17. IC 25-22.5-2-7 IS AMENDED TO READ AS
- 3           FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The board shall do
- 4           the following:
- 5           (1) Adopt rules and forms necessary to implement this article that
- 6           concern, but are not limited to, the following areas:
- 7           (A) Qualification by education, residence, citizenship,
- 8           training, and character for admission to an examination for
- 9           licensure or by endorsement for licensure.
- 10          (B) The examination for licensure.
- 11          (C) The license or permit.
- 12          (D) Fees for examination, permit, licensure, and registration.
- 13          (E) Reinstatement of licenses and permits.
- 14          (F) Payment of costs in disciplinary proceedings conducted by

1 the board.  
 2 **(G) Establishment of requirements for the reporting of**  
 3 **continuing education on license renewal forms. The rules**  
 4 **adopted under this clause must require a practitioner who**  
 5 **seeks to renew a license under this article to sign a**  
 6 **statement, on a license renewal form prescribed by the**  
 7 **board, indicating the number of hours of continuing**  
 8 **education completed during the license renewal period.**  
 9 **The renewal form prescribed by the board must contain a**  
 10 **statement recommending that a practitioner retain, for**  
 11 **two (2) years following renewal of the practitioner's**  
 12 **license, verification of the number of continuing education**  
 13 **hours reported on the form.**

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

16 (3) Enforce this article and assign service bureau personnel duties  
 17 as may be necessary in the discharge of the board's duty.

18 (4) Maintain, through the service bureau, full and complete  
 19 records of all applicants for licensure or permit and of all licenses  
 20 and permits issued.

21 (5) Make available, upon request, the complete schedule of  
 22 minimum requirements for licensure or permit.

23 (6) Issue, at the board's discretion, a temporary permit to an  
 24 applicant for the interim from the date of application until the  
 25 next regular meeting of the board.

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

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

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

36 SECTION 18. IC 25-22.5-7-1 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A license issued  
 38 under this article expires on June 30 of each odd-numbered year.

1 Before June 30 of an odd-numbered year, an applicant for renewal shall  
2 pay the biennial renewal fee set by the board under IC 25-22.5-2-7.

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

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

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

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

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

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

- 25 (1) Adopt under IC 4-22-2 rules necessary to enable it to carry  
26 into effect this chapter.  
27 (2) Prescribe standards and approve curricula for nursing  
28 education programs preparing persons for licensure under this  
29 chapter.  
30 (3) Provide for surveys of such programs at such times as it  
31 considers necessary.  
32 (4) Accredite such programs as meet the requirements of this  
33 chapter and of the board.  
34 (5) Deny or withdraw accreditation from nursing education  
35 programs for failure to meet prescribed curricula or other  
36 standards.  
37 (6) Examine, license, and renew the license of qualified  
38 applicants.

- 1 (7) Issue subpoenas, compel the attendance of witnesses, and  
 2 administer oaths to persons giving testimony at hearings.
- 3 (8) Cause the prosecution of all persons violating this chapter and  
 4 have power to incur necessary expenses for these prosecutions.
- 5 (9) Adopt rules under IC 4-22-2 that do the following:
- 6 (A) Prescribe standards for the competent practice of  
 7 registered, practical, and advanced practice nursing.
- 8 (B) Establish with the approval of the medical licensing board  
 9 created by IC 25-22.5-2-1 requirements that advanced practice  
 10 nurses must meet to be granted authority to prescribe legend  
 11 drugs and to retain that authority.
- 12 **(C) Establish requirements for the reporting of continuing  
 13 education on license renewal forms. The rules adopted  
 14 under this clause must require a nurse who seeks to renew  
 15 a license under this article to sign a statement, on a license  
 16 renewal form prescribed by the board, indicating the  
 17 number of hours of continuing education completed during  
 18 the license renewal period. The renewal form prescribed  
 19 by the board must contain a statement recommending that  
 20 a nurse retain, for two (2) years following renewal of the  
 21 nurse's license, verification of the number of continuing  
 22 education hours reported on the form. For the purposes of  
 23 this clause, continuing education includes in-service  
 24 training and educational seminars.**
- 25 (10) Keep a record of all its proceedings.
- 26 (11) Collect and distribute annually demographic information on  
 27 the number and type of registered nurses and licensed practical  
 28 nurses employed in Indiana.
- 29 (12) Notify each registered nurse and licensed practical nurse  
 30 residing in Indiana when final rules concerning the practice of  
 31 nursing are published in the Indiana register.
- 32 (b) The board may do the following:
- 33 (1) Create ad hoc subcommittees representing the various nursing  
 34 specialties and interests of the profession of nursing. Persons  
 35 appointed to a subcommittee serve for terms as determined by the  
 36 board.
- 37 (2) Utilize the appropriate subcommittees so as to assist the board  
 38 with its responsibilities. The assistance provided by the

- 1 subcommittees may include the following:
- 2 (A) Recommendation of rules necessary to carry out the duties
- 3 of the board.
- 4 (B) Recommendations concerning educational programs and
- 5 requirements.
- 6 (C) Recommendations regarding examinations and licensure
- 7 of applicants.

- 8 (3) Appoint nurses to serve on each of the ad hoc subcommittees.
- 9 (c) Nurses appointed under subsection (b) must:
- 10 (1) be committed to advancing and safeguarding the nursing
- 11 profession as a whole; and
- 12 (2) represent nurses who practice in the field directly affected by
- 13 a subcommittee's actions.

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

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

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

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

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

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

38 Renumber all SECTIONS consecutively.

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

**and when so amended that said bill do pass.**

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Representative Brown C