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# SENATE BILL No. 428

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-5-1.1-8; IC 25-1; IC 25-5.1-3-5; IC 25-13; IC 25-14; IC 25-14.5-6; IC 25-19-1-9; IC 25-20-1; IC 25-23-1; IC 25-23.5-5-10; IC 25-23.6; IC 25-24-1-14; IC 25-26; IC 25-27.5-4-6; IC 25-33; IC 25-34.5-2-10; IC 25-35.6-3-6.

**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.

**Effective:** July 1, 2001.

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

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

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## 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



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) Any other requirement that is provided for in statute or**  
 36 **rule that is not related to fees.**

37           SECTION 6. IC 25-5.1-3-5 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) Except as  
 39 provided in subsection (b), an individual whose license has expired  
 40 may have the license renewed for not more than three (3) years after  
 41 the date of expiration upon

42           **(1) payment of all past due fees and a penalty fee set by the board;**

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1 and

2 (2) submission of proof to the board that the individual has  
3 completed the number of hours of continuing education during  
4 the expired period that are required under standards adopted  
5 under ~~IC 25-5-1-2-6(2)(D)~~: **meeting the requirements under**  
6 **IC 25-1-8-6.**

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

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

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

20 (1) Pay the renewal fee set by the board under section 5 of this  
21 chapter on or before the renewal date specified by the health  
22 professions bureau in each even-numbered year.

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

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

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

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

38 (e) If a license remains invalid under subsection (c) for more than  
39 three (3) years, the holder of the invalid license may obtain a reinstated  
40 license if the holder meets the following requirements:

41 ~~(1) Files an application with the board on a form and in a manner~~  
42 ~~prescribed by the board.~~



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- 1           ~~(2)~~ Pays all current and past due renewal fees and a penalty fee  
 2           set by the board under section 5 of this chapter. **(1) Meets the**  
 3           **requirements under IC 25-1-8-6.**  
 4           ~~(3)~~ **(2)** Passes an examination on state and federal laws that are  
 5           relevant to the practice of dental hygiene as determined by the  
 6           board.  
 7           ~~(4)~~ **(3)** Has been continuously engaged in the practice of dental  
 8           hygiene from the date the holder's license was invalidated through  
 9           the date the holder applies for reinstatement.  
 10           ~~(5)~~ **(4)** Other than failing to renew the license, has complied with  
 11           this chapter and the rules adopted under this chapter during the  
 12           time specified under subdivision ~~(4)~~: **(3)**.  
 13           ~~(6)~~ **(5)** Complies with any other requirements established by the  
 14           board under subsection (g).

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

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

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

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

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

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

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



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

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

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

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

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

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

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

31 ~~(3) (2) Passes an examination on state and federal laws that are~~  
 32 ~~relevant to the practice of dentistry as determined by the board.~~

33 ~~(4) (3) Has been continuously engaged in the practice of dentistry~~  
 34 ~~from the date the holder's license was invalidated through the date~~  
 35 ~~the holder applies for reinstatement.~~

36 ~~(5) (4) Other than failing to obtain a renewal card, has complied~~  
 37 ~~with this chapter and the rules adopted under this chapter during~~  
 38 ~~the time specified under subdivision (4): (3).~~

39 ~~(6) (5) Complies with any other requirements established by the~~  
 40 ~~board under subsection (g).~~

41 The board may require the holder of an invalid license who files a  
 42 application under this subsection to appear before the board and

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1 explain why the holder failed to renew the license.

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

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

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

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

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

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

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

29 (1) paying a renewal fee as set by the board; and

30 (2) ~~proving~~ **subject to IC 25-1-4-3, providing a sworn**  
31 **statement attesting** that the certified dietitian has completed the  
32 continuing education required by the board.

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

37 ~~(1) pays a penalty fee set by the board under IC 25-14.5-2-5(b)(5);~~

38 ~~(2) pays all past due renewal fees set by the board under~~  
39 ~~IC 25-14.5-2-5(b)(3); and~~

40 ~~(3) provides evidence of obtaining the continuing education~~  
41 ~~requirements established by the board under IC 25-14.5-2-5(a)(4)~~  
42 ~~for each year or a portion of a year during which the applicant's~~

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1           ~~certificate was expired: meets the requirements under~~  
2           **IC 25-1-8-6.**

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

7           (1) ~~pays the renewal fee set by the board under~~  
8           ~~IC 25-14.5-2-5(b)(3);~~

9           (2) ~~pays the reinstatement fee set by the board under~~  
10           ~~IC 25-14.5-2-5(b)(5); and~~

11           (3) ~~provides evidence of obtaining the continuing education set by~~  
12           ~~the board under IC 25-14.5-2-5(a)(4) for each year or part of a~~  
13           ~~year during which the applicant's certificate has been classified as~~  
14           ~~inactive: meets the requirements under IC 25-1-8-6.~~

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

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

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

36           (1) ~~filing an application in the form and manner prescribed by the~~  
37           ~~board;~~

38           (2) ~~paying all current and delinquent renewal fees;~~

39           (3) ~~paying a late fee set by the board by rule under section 4 of~~  
40           ~~this chapter; and~~

41           (4) ~~submitting proof of completion of continuing education in an~~  
42           ~~amount set by the board by rule: meeting the requirements~~

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1           **under IC 25-1-8-6.**

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

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

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

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

18           ~~(1) A late renewal fee set by the board.~~

19           ~~(2) Unpaid renewal fees.~~ **meets the requirements under**  
20 **IC 25-1-8-6.**

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

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

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

31           (1) after the last date the registrant renewed a certificate under  
32 this chapter; or

33           (2) if the registrant is renewing a certificate for the first time, after  
34 the date the registrant was issued the certificate under this  
35 chapter.

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

40           (e) When a registrant renews a certificate issued under this chapter,  
41 the registrant must ~~submit:~~

42           ~~(1) a continuing education statement that:~~

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- 1 (A) is on a form provided by the board;
- 2 (B) is signed by the registrant under oath;
- 3 (C) lists the continuing education courses completed by the
- 4 registrant to satisfy the continuing education requirements
- 5 under this section; and
- 6 (D) includes a photocopy or other exact copy of the original
- 7 certificate of completion; and

8 (2) any other information required by the board:  
 9 (f) A registrant shall retain a copy of the original certificate of  
 10 completion received by the registrant for completion of a continuing  
 11 education course: **comply with IC 25-1-4-3.**

12 SECTION 17. IC 25-23-1-18 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) Any person who  
 14 fails to renew a license before it expires shall be reinstated by the board  
 15 upon payment of the renewal fee and an additional late fee set by the  
 16 board by rule: **meeting the requirements under IC 25-1-8-6.**

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

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

28 SECTION 18. IC 25-23-1-19.7, AS ADDED BY P.L.83-2000,  
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2001]: Sec. 19.7. (a) This subsection applies to an applicant  
 31 for renewal who has never received a renewal of prescriptive authority  
 32 under section 19.5 of this chapter and whose prescriptive authority has  
 33 never lapsed. If the applicant was initially granted prescriptive  
 34 authority:

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

42 (A) be completed after the prescriptive authority was granted

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- 1 and before the expiration of the prescriptive authority;  
 2 (B) include at least four (4) contact hours of pharmacology;  
 3 and  
 4 (C) be approved by a nationally approved sponsor of  
 5 continuing education for nurses, approved by the board, and  
 6 listed by the health professions bureau as approved hours.

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

- 13 (1) be completed within the two (2) years immediately preceding  
 14 the renewal;  
 15 (2) include at least eight (8) contact hours of pharmacology; and  
 16 (3) be approved by a nationally approved sponsor of continuing  
 17 education for nurses, be approved by the board, and be listed by  
 18 the health professions bureau as approved hours.

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

- 24 ~~(1) pays a penalty fee for late renewal; and~~  
 25 ~~(2) pays the renewal fee under section 9(b) of this chapter. meets~~  
 26 **the requirements under IC 25-1-8-6.**

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

31 SECTION 20. IC 25-23.6-2-8 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The board shall  
 33 adopt rules under IC 4-22-2 establishing standards for the following:

- 34 (1) The competent practice of marriage and family therapy, social  
 35 work, clinical social work, and mental health counseling.  
 36 (2) The renewal of licenses issued under this article.  
 37 (3) Standards for the administration of this article.  
 38 (4) Continuing education requirements for an individual seeking  
 39 renewal of licensure as a social worker, clinical social worker, or  
 40 marriage and family therapist.  
 41 (5) The retention of patient records and reports by a counselor.  
 42 (6) The approval of continuing education providers, programs,



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1 courses, fees, and proof of course completion.

2 (b) The board shall establish fees under IC 25-1-8-2.

3 (c) The board shall do the following:

4 (1) Consider the qualifications of individuals who apply for a  
5 license under this article.

6 (2) Provide for examinations required under this article.

7 (3) **Subject to IC 25-1-8-6**, renew licenses under this article.

8 (4) Conduct proceedings under IC 25-1-9.

9 SECTION 21. IC 25-23.6-5-10 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The board may  
11 reinstate an invalid license up to three (3) years after the expiration  
12 date of the license if the individual holding the invalid license

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

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

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

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

21 SECTION 22. IC 25-23.6-8-9 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The board may  
23 reinstate an invalid license up to three (3) years after the expiration  
24 date of the license if the individual holding the invalid license

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

26 ~~(2) pays the renewal fee under section 8(b) of this chapter; and~~

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

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

33 SECTION 23. IC 25-23.6-8.5-9 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The board may  
35 reinstate an invalid license up to three (3) years after the expiration  
36 date of the license if the individual holding the invalid license

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

38 ~~(2) pays the renewal fee under section 8(b) of this chapter; and~~

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

41 (b) If more than three (3) years have elapsed since the date a license  
42 expired, the individual holding the license may reinstate the invalid

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1 license by satisfying the requirements for reinstatement established by  
2 the board **and meeting the requirements under IC 25-1-8-6.**

3 SECTION 24. IC 25-24-1-14 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) In each  
5 even-numbered year, the bureau shall issue a sixty (60) day notice of  
6 expiration and a license renewal application in accordance with  
7 IC 25-1-5-4 to each optometrist licensed in Indiana. The application  
8 shall be mailed to the last known address of the optometrist and shall  
9 contain spaces for the insertion of the licensee's name, address, date,  
10 and number of the license, and such other information and questions as  
11 the board considers necessary. The licensee shall complete, sign, and  
12 return the application for license renewal, together with a fee set by the  
13 board under section 1 of this chapter, before April 1 of each  
14 even-numbered year.

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

17 (c) The payment of the renewal fee must be made on or before April  
18 1 of each even-numbered year. The applicant's license expires and  
19 becomes invalid if the applicant has not paid the renewal fee by April  
20 1 of each even-numbered year. The license ~~may~~ **shall** be reinstated by  
21 the board up to three (3) years after its expiration if the applicant for  
22 reinstatement

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

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

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

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

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

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

42 (1) pays the renewal fee set by the board under section 1 of this

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1 chapter;

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

4 ~~(3) provides evidence of obtaining subject to IC 25-1-4-3, attests~~  
5 **that the applicant obtained** the continuing education required by  
6 the board under section 1 of this chapter for each year, or portion  
7 of a year during which the applicant's license has been classified  
8 as inactive.

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

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

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

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

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

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

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

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

40 ~~(4) (2)~~ **(2)** passes an examination concerning state and federal laws  
41 that the board considers relevant to the practice of pharmacy.

42 (f) The board may require a person who applies for a license under

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1 subsection (e) to appear before the board and explain the reason the  
2 person failed to renew the person's license.

3 SECTION 26. IC 25-26-14-21 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. (a) A wholesale  
5 drug distributor license expires at midnight of the renewal date  
6 specified by the health professions bureau under IC 25-1-5-4 in each  
7 even-numbered year.

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

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

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

19 SECTION 27. IC 25-27.5-4-6 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) The committee  
21 ~~may~~ **shall** reinstate an invalid certificate up to three (3) years after the  
22 expiration date of the certificate if the individual holding the invalid  
23 certificate

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

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

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

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

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

- 42 (+) ~~pays a penalty fee set by the board under section 3 of this~~

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1 chapter; and  
 2 (2) pays renewal fees accrued during the period the license was  
 3 ~~invalid~~; **meets the requirements under IC 25-1-8-6.**  
 4 (d) If a license has been invalidated under this section for more than  
 5 three (3) years, the holder of the license may receive a new license  
 6 from the board only if the holder:  
 7 (1) files an application in a form and manner prescribed by the  
 8 board;  
 9 (2) pays the renewal fee, a delinquent renewal fee, and a late fee  
 10 established by the board;  
 11 (3) submits proof to the board that the person has completed a  
 12 continuing education requirement established by the board; **(1)**  
 13 **meets the requirements under IC 25-1-8-6;** and  
 14 ~~(4)~~ **(2)** passes an examination concerning state and federal laws  
 15 that the board considers relevant to the practice of psychology.  
 16 (e) The board may adopt rules establishing requirements for  
 17 reinstatement of a license invalidated **for more than three (3) years**  
 18 under this section.  
 19 (f) An initial license issued under this article is valid for the  
 20 remainder of the renewal period in effect on the date of issuance.  
 21 (g) The board may require a person who applies for a license under  
 22 subsection (d) to appear before the board and explain the reason the  
 23 person failed to renew the person's license.  
 24 SECTION 29. IC 25-33-2-4 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) **Subject to**  
 26 **IC 25-1-4-3**, every two (2) years the board shall randomly audit  
 27 licensed psychologists to ensure compliance of the continuing  
 28 education requirement.  
 29 (b) When requested by the board, a psychologist shall provide the  
 30 board with a copy of each verification of attendance retained by the  
 31 psychologist for the previous ~~five (5)~~ **three (3)** years.  
 32 SECTION 30. IC 25-34.5-2-10, AS AMENDED BY P.L.60-2000,  
 33 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2001]: Sec. 10. (a) The committee shall, under IC 25-1-2,  
 35 renew every two (2) years the license of a practitioner who:  
 36 (1) meets the continuing education requirements established by  
 37 rule by the board; and  
 38 (2) pays the fee set by the board.  
 39 (b) If a practitioner does not renew the practitioner's license before  
 40 its expiration, the practitioner's license becomes invalid without action  
 41 taken by the committee. A license that becomes invalid under this  
 42 subsection may be reinstated by the committee up to three (3) years

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1 after its invalidation if the practitioner who holds an invalid license  
2 pays the following:

3 ~~(1) A penalty set by the board:~~

4 ~~(2) The renewal fee for the biennium: meets the requirements~~  
5 ~~under IC 25-1-8-6.~~

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

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

14 (e) The board shall accept continuing education courses in the  
15 following areas toward fulfillment of the requirements of subsection  
16 (a):

17 (1) Management of the practice of respiratory care.

18 (2) Courses concerning the practice of respiratory care that enable  
19 individuals to teach continuing education courses for respiratory  
20 care practitioners.

21 (3) The practice of respiratory care.

22 SECTION 31. IC 25-35.6-3-6 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) Licenses issued  
24 under this article expire, if not renewed, before January 1 of each  
25 even-numbered year.

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

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



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

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