



March 2, 2001

SENATE BILL No. 428

DIGEST OF SB 428 (Updated February 28, 2001 12:38 PM - DI 104)

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 25-23; 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.

Effective: July 1, 2001.

Riegsecker

January 18, 2001, read first time and referred to Committee on Health and Provider Services.
March 1, 2001, reported favorably — Do Pass.

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SB 428—LS 7934/DI 77+



March 2, 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 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

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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) 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) 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 ~~(1) 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 ~~(1) 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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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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