

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1172 be amended to read as follows:

- 1           Page 22, between lines 18 and 19, begin a new paragraph and insert:  
2           "SECTION 14. IC 24-4-15-5, AS ADDED BY P.L.129-2007,  
3           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2008]: Sec. 5. An owner or operator of a health club shall do  
5           the following:  
6           (1) Ensure that a defibrillator is:  
7           (A) located on the health club premises and ~~is~~ easily accessible  
8           to the health club staff, members, and guests; **or**  
9           **(B) if:**  
10           **(i) the health club is located on the premises of a business**  
11           **of which the health club is a part; and**  
12           **(ii) the business has an emergency response team;**  
13           **located on the premises of the business and easily**  
14           **accessible to the emergency response team.**  
15           (2) Employ at least one (1) individual who:  
16           (A) has satisfactorily completed a course ~~approved by the~~  
17           ~~American Red Cross or the American Heart Association~~  
18           **consistent with the most current national guidelines for;**  
19           and  
20           (B) is currently certified in;  
21           cardiopulmonary resuscitation and defibrillator use.  
22           (3) Reasonably ensure that at least one (1) individual described  
23           ~~under in~~ subdivision (2) is on the health club premises when staff  
24           is present at the health club during the health club's business  
25           hours.  
26           (4) A health club that is not staffed must have the following on  
27           the premises:  
28           (A) A telephone for 911 telephone call access.  
29           (B) A sign in plain view containing an advisory warning that  
30           indicates that members of the unstaffed health ~~spa~~ **club** should  
31           be aware that working out alone may pose risks to ~~the~~ **a** health

- 1            ~~spa~~ **club** member's health and safety.
- 2            (C) A sign in plain view providing instruction in the use of the
- 3            ~~automated external~~ defibrillator and in cardiopulmonary
- 4            resuscitation.
- 5            (5) Ensure compliance with the requirements set forth in
- 6            IC 16-31-6.5.
- 7            (6) Post a sign at each entrance to the health club that indicates
- 8            the location of each defibrillator.
- 9            SECTION 15. IC 24-4-15-7, AS ADDED BY P.L.129-2007,
- 10          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11          JULY 1, 2008]: Sec. 7. ~~(a)~~ The:
- 12          (1) state department and the division of fire and building safety
- 13          may inspect a health club at any time:
- 14          ~~(1)~~ (A) according to rules adopted by the state department; or
- 15          ~~(2)~~ (B) in response to a filed complaint alleging
- 16          noncompliance with this chapter; **and**
- 17          **(2) fire department that serves the area in which a health club**
- 18          **is located shall inspect the health club for compliance with**
- 19          **this chapter if the health club is inspected as part of an**
- 20          **inspection program under IC 36-8-17-8.**
- 21          ~~(b) A fire department may inspect a health club for compliance with~~
- 22          ~~this chapter as part of an inspection program under IC 36-8-17-8.~~
- 23          SECTION 16. IC 25-1-7-1, AS AMENDED BY P.L.185-2007,
- 24          SECTION 4, AS AMENDED BY P.L.193-2007, SECTION 4, AND
- 25          AS AMENDED BY P.L.200-2007, SECTION 5, IS AMENDED TO
- 26          READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. As used
- 27          in this chapter:
- 28          "Board" means the appropriate agency listed in the definition of
- 29          regulated occupation in this section.
- 30          "Director" refers to the director of the division of consumer
- 31          protection.
- 32          "Division" refers to the division of consumer protection, office of
- 33          the attorney general.
- 34          "Licensee" means a person who is:
- 35          (1) licensed, certified, or registered by a board listed in this
- 36          section; and
- 37          (2) the subject of a complaint filed with the division.
- 38          "Person" means an individual, a partnership, a limited liability
- 39          company, or a corporation.
- 40          "Regulated occupation" means an occupation in which a person is
- 41          licensed, certified, or registered by one (1) of the following:
- 42          (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 43          (2) Board of registration for architects **and** landscape architects
- 44          **and registered interior designers** (IC 25-4-1-2).
- 45          (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 46          (4) State board of barber examiners (IC 25-7-5-1).
- 47          (5) State boxing commission (IC 25-9-1).

- 1 (6) Board of chiropractic examiners (IC 25-10-1).
- 2 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 3 (8) State board of dentistry (IC 25-14-1).
- 4 (9) State board of funeral and cemetery service (IC 25-15-9).
- 5 (10) State board of registration for professional engineers
- 6 (IC 25-31-1-3).
- 7 (11) Indiana state board of health facility administrators
- 8 (IC 25-19-1).
- 9 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (13) Indiana state board of nursing (IC 25-23-1).
- 11 (14) Indiana optometry board (IC 25-24).
- 12 (15) Indiana board of pharmacy (IC 25-26).
- 13 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 14 (17) Board of podiatric medicine (IC 25-29-2-1).
- 15 (18) Board of environmental health specialists (IC 25-32-1).
- 16 (19) State psychology board (IC 25-33).
- 17 (20) Speech-language pathology and audiology board
- 18 (IC 25-35.6-2).
- 19 (21) Indiana real estate commission (IC 25-34.1-2).
- 20 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 21 (23) Department of natural resources for purposes of licensing
- 22 water well drillers under IC 25-39-3.
- 23 (24) Respiratory care committee (IC 25-34.5).
- 24 (25) Private ~~detectives~~ investigator and security guard licensing
- 25 board ~~(IC 25-30-1-5.1)~~. (IC 25-30-1-5.2).
- 26 (26) Occupational therapy committee (IC 25-23.5).
- 27 (27) Social worker, marriage and family therapist, and mental
- 28 health counselor board (IC 25-23.6).
- 29 (28) Real estate appraiser licensure and certification board
- 30 (IC 25-34.1-8).
- 31 (29) State board of registration for land surveyors
- 32 (IC 25-21.5-2-1).
- 33 (30) Physician assistant committee (IC 25-27.5).
- 34 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 35 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 36 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 37 (34) Indiana physical therapy committee (IC 25-27).
- 38 (35) Manufactured home installer licensing board (IC 25-23.7).
- 39 (36) Home inspectors licensing board (IC 25-20.2-3-1).
- 40 (37) *State department of health, for out-of-state mobile health*
- 41 **care entities.**
- 42 ~~(37)~~ (38) *State board of massage therapy (IC 25-21.8-2-1).*
- 43 ~~(37)~~ ~~(38)~~ (39) Any other occupational or professional agency
- 44 created after June 30, 1981."

45 Page 56, between lines 21 and 22, begin a new paragraph and insert:  
 46 "SECTION 55. [EFFECTIVE JULY 1, 2008] (a) As used in this  
 47 SECTION, "commission" refers to the health finance commission

- 1 established by IC 2-5-23-3.
- 2 (b) During the 2008 interim, the commission shall:
- 3 (1) study domestic violence programs administered by the
- 4 state; and
- 5 (2) determine the most appropriate state agency to administer
- 6 domestic violence programs.
- 7 (c) This SECTION expires December 31, 2008."
- 8 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1172 as printed February 22, 2008.)

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Senator MILLER