

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 363 be amended to read as follows:

- 1 Page 9, between lines 17 and 18, begin a new paragraph and insert:
2 "SECTION 9. IC 25-1-2-6, AS AMENDED BY P.L.84-2010,
3 SECTION 7, AND AS AMENDED BY P.L.113-2010, SECTION 100,
4 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) As used in this section,
6 "license" includes all occupational and professional licenses,
7 registrations, permits, and certificates issued under the Indiana Code,
8 and "licensee" includes all occupational and professional licensees,
9 registrants, permittees, and certificate holders regulated under the
10 Indiana Code.
11 (b) This section applies to the following entities that regulate
12 occupations or professions under the Indiana Code:
13 (1) Indiana board of accountancy.
14 (2) Indiana grain buyers and warehouse licensing agency.
15 (3) Indiana auctioneer commission.
16 (4) Board of registration for architects and landscape architects.
17 ~~(5) State board of barber examiners.~~
18 ~~(6) (5) State board of cosmetology and barber examiners.~~
19 ~~(7) (6) Medical licensing board of Indiana.~~
20 ~~(8) (7) Secretary of state.~~
21 ~~(9) (8) State board of dentistry.~~
22 ~~(10) (9) State board of funeral and cemetery service.~~
23 ~~(11) (10) Worker's compensation board of Indiana.~~
24 ~~(12) (11) Indiana state board of health facility administrators.~~

- 1 ~~(13)~~ (12) Committee of hearing aid dealer examiners.
 2 ~~(14)~~ (13) Indiana state board of nursing.
 3 ~~(15)~~ (14) Indiana optometry board.
 4 ~~(16)~~ (15) Indiana board of pharmacy.
 5 ~~(17)~~ (16) Indiana plumbing commission.
 6 ~~(18)~~ (17) Board of podiatric medicine.
 7 ~~(19)~~ (18) Private investigator and security guard licensing board.
 8 ~~(20)~~ (19) State board of registration for professional engineers.
 9 ~~(21)~~ **(20)** *Board of environmental health specialists.*
 10 ~~(22)~~ ~~(20)~~ **(21)** State psychology board.
 11 ~~(23)~~ ~~(21)~~ **(22)** Indiana real estate commission.
 12 ~~(24)~~ ~~(22)~~ **(23)** Speech-language pathology and audiology board.
 13 ~~(25)~~ ~~(23)~~ **(24)** Department of natural resources.
 14 ~~(26)~~ ~~(24)~~ *State athletic commission.*
 15 ~~(26)~~ (25) Board of chiropractic examiners.
 16 ~~(27)~~ (26) Mining board.
 17 ~~(28)~~ (27) Indiana board of veterinary medical examiners.
 18 ~~(29)~~ (28) State department of health.
 19 ~~(30)~~ (29) Indiana physical therapy committee.
 20 ~~(31)~~ (30) Respiratory care committee.
 21 ~~(32)~~ (31) Occupational therapy committee.
 22 ~~(33)~~ (32) Behavioral health and human services licensing board.
 23 ~~(34)~~ (33) Real estate appraiser licensure and certification board.
 24 ~~(35)~~ (34) State board of registration for land surveyors.
 25 ~~(36)~~ (35) Physician assistant committee.
 26 ~~(37)~~ (36) Indiana dietitians certification board.
 27 ~~(38)~~ *Indiana hypnotist committee.*
 28 ~~(39)~~ (37) Attorney general (only for the regulation of athlete
 29 agents).
 30 ~~(40)~~ (38) Manufactured home installer licensing board.
 31 ~~(41)~~ (39) Home inspectors licensing board.
 32 ~~(42)~~ (40) State board of massage therapy.
 33 ~~(43)~~ (41) Any other occupational or professional agency created
 34 after June 30, 1981.

35 (c) Notwithstanding any other law, the entities included in
 36 subsection (b) shall send a notice of the upcoming expiration of a
 37 license to each licensee at least sixty (60) days prior to the expiration
 38 of the license. The notice must inform the licensee of the need to renew
 39 and the requirement of payment of the renewal fee. If this notice of
 40 expiration is not sent by the entity, the licensee is not subject to a
 41 sanction for failure to renew if, once notice is received from the entity,
 42 the license is renewed within forty-five (45) days of the receipt of the
 43 notice.

44 SECTION 10. IC 25-1-4-0.3, AS AMENDED BY P.L.84-2010,
 45 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2011]: Sec. 0.3. As used in this chapter, "board" means any of

- 1 the following:
- 2 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 3 (2) Board of registration for architects and landscape architects
- 4 (IC 25-4-1-2).
- 5 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 6 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 7 (5) Board of chiropractic examiners (IC 25-10-1).
- 8 (6) State board of cosmetology and barber examiners
- 9 (IC 25-8-3-1).
- 10 (7) State board of dentistry (IC 25-14-1).
- 11 (8) Indiana dietitians certification board (IC 25-14.5-2-1).
- 12 (9) State board of registration for professional engineers
- 13 (IC 25-31-1-3).
- 14 (10) State board of funeral and cemetery service (IC 25-15-9).
- 15 (11) Indiana state board of health facility administrators
- 16 (IC 25-19-1).
- 17 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- 18 (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 19 (14) State board of registration for land surveyors
- 20 (IC 25-21.5-2-1).
- 21 (15) Manufactured home installer licensing board (IC 25-23.7).
- 22 (16) Medical licensing board of Indiana (IC 25-22.5-2).
- 23 (17) Indiana state board of nursing (IC 25-23-1).
- 24 (18) Occupational therapy committee (IC 25-23.5).
- 25 (19) Indiana optometry board (IC 25-24).
- 26 (20) Indiana board of pharmacy (IC 25-26).
- 27 (21) Indiana physical therapy committee (IC 25-27-1).
- 28 (22) Physician assistant committee (IC 25-27.5).
- 29 (23) Indiana plumbing commission (IC 25-28.5-1-3).
- 30 (24) Board of podiatric medicine (IC 25-29-2-1).
- 31 (25) Private investigator and security guard licensing board
- 32 (IC 25-30-1-5.2).
- 33 **(26) Board of environmental health specialists**
- 34 **(IC 25-32.1-1-6).**
- 35 ~~(26)~~ (27) State psychology board (IC 25-33).
- 36 ~~(27)~~ (28) Indiana real estate commission (IC 25-34.1-2).
- 37 ~~(28)~~ (29) Real estate appraiser licensure and certification board
- 38 (IC 25-34.1-8).
- 39 ~~(29)~~ (30) Respiratory care committee (IC 25-34.5).
- 40 ~~(30)~~ (31) Behavioral health and human services licensing board
- 41 (IC 25-23.6).
- 42 ~~(31)~~ (32) Speech-language pathology and audiology board
- 43 (IC 25-35.6-2).
- 44 ~~(32)~~ (33) Indiana board of veterinary medical examiners
- 45 (IC 25-38.1-2).
- 46 SECTION 11. IC 25-1-5-3, AS AMENDED BY P.L.84-2010,

1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2011]: Sec. 3. (a) There is established the Indiana professional
3 licensing agency. The agency shall perform all administrative
4 functions, duties, and responsibilities assigned by law or rule to the
5 executive director, secretary, or other statutory administrator of the
6 following:

- 7 (1) Board of chiropractic examiners (IC 25-10-1).
- 8 (2) State board of dentistry (IC 25-14-1).
- 9 (3) Indiana state board of health facility administrators
10 (IC 25-19-1).
- 11 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 12 (5) Indiana state board of nursing (IC 25-23-1).
- 13 (6) Indiana optometry board (IC 25-24).
- 14 (7) Indiana board of pharmacy (IC 25-26).
- 15 (8) Board of podiatric medicine (IC 25-29-2-1).
- 16 (9) Speech-language pathology and audiology board
17 (IC 25-35.6-2).
- 18 (10) State psychology board (IC 25-33).
- 19 (11) Indiana board of veterinary medical examiners
20 (IC 25-38.1-2).
- 21 (12) Committee of hearing aid dealer examiners (IC 25-20).
- 22 (13) Indiana physical therapy committee (IC 25-27).
- 23 (14) Respiratory care committee (IC 25-34.5).
- 24 (15) Occupational therapy committee (IC 25-23.5).
- 25 (16) Behavioral health and human services licensing board
26 (IC 25-23.6).
- 27 (17) Physician assistant committee (IC 25-27.5).
- 28 (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- 29 (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- 30 **(20) Board of environmental health specialists**
31 **(IC 25-32.1-1-6).**

32 (b) Nothing in this chapter may be construed to give the agency
33 policy making authority, which authority remains with each board.

34 SECTION 12. IC 25-1-5-10, AS AMENDED BY P.L.84-2010,
35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2011]: Sec. 10. (a) As used in this section, "provider" means
37 an individual licensed, certified, registered, or permitted by any of the
38 following:

- 39 (1) Board of chiropractic examiners (IC 25-10-1).
- 40 (2) State board of dentistry (IC 25-14-1).
- 41 (3) Indiana state board of health facility administrators
42 (IC 25-19-1).
- 43 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 44 (5) Indiana state board of nursing (IC 25-23-1).
- 45 (6) Indiana optometry board (IC 25-24).
- 46 (7) Indiana board of pharmacy (IC 25-26).

- 1 (8) Board of podiatric medicine (IC 25-29-2-1).
 2 (9) Speech-language pathology and audiology board
 3 (IC 25-35.6-2).
 4 **(10) Board of environmental health specialists**
 5 **(IC 25-32.1-1-6).**
 6 ~~(10)~~ (11) State psychology board (IC 25-33).
 7 ~~(11)~~ (12) Indiana board of veterinary medical examiners
 8 (IC 25-38.1-2).
 9 ~~(12)~~ (13) Indiana physical therapy committee (IC 25-27).
 10 ~~(13)~~ (14) Respiratory care committee (IC 25-34.5).
 11 ~~(14)~~ (15) Occupational therapy committee (IC 25-23.5).
 12 ~~(15)~~ (16) Behavioral health and human services licensing board
 13 (IC 25-23.6).
 14 ~~(16)~~ (17) Physician assistant committee (IC 25-27.5).
 15 ~~(17)~~ (18) Indiana athletic trainers board (IC 25-5.1-2-1).
 16 ~~(18)~~ (19) Indiana dietitians certification board (IC 25-14.5-2-1).
 17 (b) The agency shall create and maintain a provider profile for each
 18 provider described in subsection (a).
 19 (c) A provider profile must contain the following information:
 20 (1) The provider's name.
 21 (2) The provider's license, certification, registration, or permit
 22 number.
 23 (3) The provider's license, certification, registration, or permit
 24 type.
 25 (4) The date the provider's license, certification, registration, or
 26 permit was issued.
 27 (5) The date the provider's license, certification, registration, or
 28 permit expires.
 29 (6) The current status of the provider's license, certification,
 30 registration, or permit.
 31 (7) The provider's city and state of record.
 32 (8) A statement of any disciplinary action taken against the
 33 provider within the previous ten (10) years by a board or
 34 committee described in subsection (a).
 35 (d) The agency shall make provider profiles available to the public.
 36 (e) The computer gateway administered by the office of technology
 37 established by IC 4-13.1-2-1 shall make the information described in
 38 subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally
 39 available to the public on the Internet.
 40 (f) The agency may adopt rules under IC 4-22-2 to implement this
 41 section.
 42 SECTION 13. IC 25-1-7-1, AS AMENDED BY P.L.84-2010,
 43 SECTION 12, AND AS AMENDED BY P.L.113-2010, SECTION
 44 101, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 45 [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter:
 46 "Board" means the appropriate agency listed in the definition of

- 1 regulated occupation in this section.
- 2 "Director" refers to the director of the division of consumer
3 protection.
- 4 "Division" refers to the division of consumer protection, office of
5 the attorney general.
- 6 "Licensee" means a person who is:
- 7 (1) licensed, certified, or registered by a board listed in this
8 section; and
- 9 (2) the subject of a complaint filed with the division.
- 10 "Person" means an individual, a partnership, a limited liability
11 company, or a corporation.
- 12 "Regulated occupation" means an occupation in which a person is
13 licensed, certified, or registered by one (1) of the following:
- 14 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 15 (2) Board of registration for architects and landscape architects
16 (IC 25-4-1-2).
- 17 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 18 ~~(4) State board of barber examiners (IC 25-7-5-1).~~
- 19 ~~(4) State athletic commission (IC 25-9-1).~~
- 20 ~~(5) (4) Board of chiropractic examiners (IC 25-10-1).~~
- 21 ~~(6) (5) State board of cosmetology and barber examiners~~
22 ~~(IC 25-8-3-1).~~
- 23 ~~(7) (6) State board of dentistry (IC 25-14-1).~~
- 24 ~~(8) (7) State board of funeral and cemetery service (IC 25-15-9).~~
- 25 ~~(9) (8) State board of registration for professional engineers~~
26 ~~(IC 25-31-1-3).~~
- 27 ~~(10) (9) Indiana state board of health facility administrators~~
28 ~~(IC 25-19-1).~~
- 29 ~~(11) (10) Medical licensing board of Indiana (IC 25-22.5-2).~~
- 30 ~~(12) (11) Indiana state board of nursing (IC 25-23-1).~~
- 31 ~~(13) (12) Indiana optometry board (IC 25-24).~~
- 32 ~~(14) (13) Indiana board of pharmacy (IC 25-26).~~
- 33 ~~(15) (14) Indiana plumbing commission (IC 25-28.5-1-3).~~
- 34 ~~(16) (15) Board of podiatric medicine (IC 25-29-2-1).~~
- 35 ~~(17) (16) Board of environmental health specialists (IC 25-32-1).~~
- 36 **(IC 25-32.1-1).**
- 37 ~~(18) (17) State psychology board (IC 25-33).~~
- 38 ~~(19) (18) Speech-language pathology and audiology board~~
39 ~~(IC 25-35.6-2).~~
- 40 ~~(20) (19) Indiana real estate commission (IC 25-34.1-2).~~
- 41 ~~(21) (20) Indiana board of veterinary medical examiners~~
42 ~~(IC 25-38.1).~~
- 43 ~~(22) (21) Department of natural resources for purposes of~~
44 ~~licensing water well drillers under IC 25-39-3.~~
- 45 ~~(23) (22) Respiratory care committee (IC 25-34.5).~~
- 46 ~~(24) (23) Private investigator and security guard licensing board~~

- 1 (IC 25-30-1-5.2).
 2 ~~(24) (25)~~ Occupational therapy committee (IC 25-23.5).
 3 ~~(25) (26)~~ Behavioral health and human services licensing board
 4 (IC 25-23.6).
 5 ~~(26) (27)~~ Real estate appraiser licensure and certification board
 6 (IC 25-34.1-8).
 7 ~~(27) (28)~~ State board of registration for land surveyors
 8 (IC 25-21.5-2-1).
 9 ~~(28) (29)~~ Physician assistant committee (IC 25-27.5).
 10 ~~(29) (30)~~ Indiana athletic trainers board (IC 25-5.1-2-1).
 11 ~~(30) (31)~~ Indiana dietitians certification board (IC 25-14.5-2-1).
 12 ~~(32) Indiana hypnotist committee (IC 25-20.5-1-7).~~
 13 ~~(31) (33)~~ Indiana physical therapy committee (IC 25-27).
 14 ~~(32) (34)~~ Manufactured home installer licensing board
 15 (IC 25-23.7).
 16 ~~(33) (35)~~ Home inspectors licensing board (IC 25-20.2-3-1).
 17 ~~(34) (36)~~ State department of health, for out-of-state mobile health
 18 care entities.
 19 ~~(35) (37)~~ State board of massage therapy (IC 25-21.8-2-1).
 20 ~~(36) (38)~~ Any other occupational or professional agency created
 21 after June 30, 1981."

22 Page 10, between lines 15 and 16, begin a new paragraph and insert:
 23 "SECTION 16. IC 25-1-8-1, AS AMENDED BY P.L.84-2010,
 24 SECTION 14, AND AS AMENDED BY P.L.113-2010, SECTION
 25 102, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter, "board"
 27 means any of the following:

- 28 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 29 (2) Board of registration for architects and landscape architects
 30 (IC 25-4-1-2).
 31 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 32 ~~(4) State board of barber examiners (IC 25-7-5-1).~~
 33 ~~(4) State athletic commission (IC 25-9-1).~~
 34 ~~(5) (4)~~ Board of chiropractic examiners (IC 25-10-1).
 35 ~~(6) (5)~~ State board of cosmetology *and barber* examiners
 36 (IC 25-8-3-1).
 37 ~~(7) (6)~~ State board of dentistry (IC 25-14-1).
 38 ~~(8) (7)~~ State board of funeral and cemetery service (IC 25-15).
 39 ~~(9) (8)~~ State board of registration for professional engineers
 40 (IC 25-31-1-3).
 41 ~~(10) (9)~~ Indiana state board of health facility administrators
 42 (IC 25-19-1).
 43 ~~(11) (10)~~ Medical licensing board of Indiana (IC 25-22.5-2).
 44 ~~(12) (11)~~ Mining board (IC 22-10-1.5-2).
 45 ~~(13) (12)~~ Indiana state board of nursing (IC 25-23-1).
 46 ~~(14) (13)~~ Indiana optometry board (IC 25-24).

- 1 ~~(15)~~ **(14)** Indiana board of pharmacy (IC 25-26).
 2 ~~(16)~~ **(15)** Indiana plumbing commission (IC 25-28.5-1-3).
 3 ~~(17)~~ **(16)** *Board of environmental health specialists* ~~(IC 25-32-1)~~.
 4 **(IC 25-32.1-1)**
 5 ~~(17)~~ ~~(18)~~ State psychology board (IC 25-33).
 6 ~~(18)~~ ~~(19)~~ Speech-language pathology and audiology board
 7 (IC 25-35.6-2).
 8 ~~(19)~~ ~~(20)~~ Indiana real estate commission (IC 25-34.1-2-1).
 9 ~~(20)~~ ~~(21)~~ Indiana board of veterinary medical examiners
 10 (IC 25-38.1-2-1).
 11 ~~(21)~~ ~~(22)~~ Department of insurance (IC 27-1).
 12 ~~(22)~~ ~~(23)~~ State police department (IC 10-11-2-4), for purposes of
 13 certifying polygraph examiners under IC 25-30-2.
 14 ~~(23)~~ ~~(24)~~ Department of natural resources for purposes of
 15 licensing water well drillers under IC 25-39-3.
 16 ~~(24)~~ ~~(25)~~ Private investigator and security guard licensing board
 17 (IC 25-30-1-5.2).
 18 ~~(25)~~ ~~(26)~~ Occupational therapy committee (IC 25-23.5-2-1).
 19 ~~(26)~~ ~~(27)~~ Behavioral health and human services licensing board
 20 (IC 25-23.6-2-1).
 21 ~~(27)~~ ~~(28)~~ Real estate appraiser licensure and certification board
 22 (IC 25-34.1-8).
 23 ~~(28)~~ ~~(29)~~ State board of registration for land surveyors
 24 (IC 25-21.5-2-1).
 25 ~~(29)~~ ~~(30)~~ Physician assistant committee (IC 25-27.5).
 26 ~~(30)~~ ~~(31)~~ Indiana athletic trainers board (IC 25-5.1-2-1).
 27 ~~(31)~~ ~~(32)~~ Board of podiatric medicine (IC 25-29-2-1).
 28 ~~(32)~~ ~~(33)~~ Indiana dietitians certification board (IC 25-14.5-2-1).
 29 ~~(33)~~ ~~(34)~~ Indiana physical therapy committee (IC 25-27).
 30 ~~(34)~~ ~~(35)~~ Manufactured home installer licensing board
 31 (IC 25-23.7).
 32 ~~(35)~~ ~~(36)~~ Home inspectors licensing board (IC 25-20.2-3-1).
 33 ~~(36)~~ ~~(37)~~ State board of massage therapy (IC 25-21.8-2-1).
 34 ~~(37)~~ ~~(38)~~ Any other occupational or professional agency created
 35 after June 30, 1981.

36 SECTION 17. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,
 37 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2011]: Sec. 6. (a) As used in this section, "board" means any
 39 of the following:

- 40 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 41 (2) Board of registration for architects and landscape architects
 42 (IC 25-4-1-2).
 43 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 44 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 45 (5) Board of chiropractic examiners (IC 25-10-1).
 46 (6) State board of cosmetology and barber examiners

- 1 (IC 25-8-3-1).
 2 (7) State board of dentistry (IC 25-14-1).
 3 (8) Indiana dietitians certification board (IC 25-14.5-2-1).
 4 (9) State board of registration for professional engineers
 5 (IC 25-31-1-3).
 6 (10) State board of funeral and cemetery service (IC 25-15-9).
 7 (11) Indiana state board of health facility administrators
 8 (IC 25-19-1).
 9 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
 10 (13) Home inspectors licensing board (IC 25-20.2-3-1).
 11 (14) State board of registration for land surveyors
 12 (IC 25-21.5-2-1).
 13 (15) Manufactured home installer licensing board (IC 25-23.7).
 14 (16) Medical licensing board of Indiana (IC 25-22.5-2).
 15 (17) Indiana state board of nursing (IC 25-23-1).
 16 (18) Occupational therapy committee (IC 25-23.5).
 17 (19) Indiana optometry board (IC 25-24).
 18 (20) Indiana board of pharmacy (IC 25-26).
 19 (21) Indiana physical therapy committee (IC 25-27).
 20 (22) Physician assistant committee (IC 25-27.5).
 21 (23) Indiana plumbing commission (IC 25-28.5-1-3).
 22 (24) Board of podiatric medicine (IC 25-29-2-1).
 23 (25) Private investigator and security guard licensing board
 24 (IC 25-30-1-5.2).
 25 **(26) Board of environmental health specialists**
 26 **(IC 25-32.1-1-6).**
 27 ~~(26)~~ (27) State psychology board (IC 25-33).
 28 ~~(27)~~ (28) Indiana real estate commission (IC 25-34.1-2).
 29 ~~(28)~~ (29) Real estate appraiser licensure and certification board
 30 (IC 25-34.1-8).
 31 ~~(29)~~ (30) Respiratory care committee (IC 25-34.5).
 32 ~~(30)~~ (31) Behavioral health and human services licensing board
 33 (IC 25-23.6).
 34 ~~(31)~~ (32) Speech-language pathology and audiology board
 35 (IC 25-35.6-2).
 36 ~~(32)~~ (33) Indiana board of veterinary medical examiners
 37 (IC 25-38.1).
 38 ~~(33)~~ (34) State board of massage therapy (IC 25-21.8-2-1).
 39 (b) This section does not apply to a license, certificate, or
 40 registration that has been revoked or suspended.
 41 (c) Notwithstanding any other law regarding the reinstatement of a
 42 delinquent or lapsed license, certificate, or registration and except as
 43 provided in section 8 of this chapter, the holder of a license, certificate,
 44 or registration that was issued by the board that is three (3) years or less
 45 delinquent must be reinstated upon meeting the following
 46 requirements:

- 1 (1) Submission of the holder's completed renewal application.
- 2 (2) Payment of the current renewal fee established by the board
- 3 under section 2 of this chapter.
- 4 (3) Payment of a reinstatement fee established by the Indiana
- 5 professional licensing agency.
- 6 (4) If a law requires the holder to complete continuing education
- 7 as a condition of renewal, the holder:
- 8 (A) shall provide the board with a sworn statement, signed by
- 9 the holder, that the holder has fulfilled the continuing
- 10 education requirements required by the board; or
- 11 (B) shall, if the holder has not complied with the continuing
- 12 education requirements, meet any requirements imposed under
- 13 IC 25-1-4-5 and IC 25-1-4-6.
- 14 (d) Notwithstanding any other law regarding the reinstatement of a
- 15 delinquent or lapsed license, certificate, or registration and except as
- 16 provided in section 8 of this chapter, unless a statute specifically does
- 17 not allow a license, certificate, or registration to be reinstated if it has
- 18 lapsed for more than three (3) years, the holder of a license, certificate,
- 19 or registration that was issued by the board that is more than three (3)
- 20 years delinquent must be reinstated upon meeting the following
- 21 requirements:
- 22 (1) Submission of the holder's completed renewal application.
- 23 (2) Payment of the current renewal fee established by the board
- 24 under section 2 of this chapter.
- 25 (3) Payment of a reinstatement fee equal to the current initial
- 26 application fee.
- 27 (4) If a law requires the holder to complete continuing education
- 28 as a condition of renewal, the holder:
- 29 (A) shall provide the board with a sworn statement, signed by
- 30 the holder, that the holder has fulfilled the continuing
- 31 education requirements required by the board; or
- 32 (B) shall, if the holder has not complied with the continuing
- 33 education requirements, meet any requirements imposed under
- 34 IC 25-1-4-5 and IC 25-1-4-6.
- 35 (5) Complete such remediation and additional training as deemed
- 36 appropriate by the board given the lapse of time involved.
- 37 (6) Any other requirement that is provided for in statute or rule
- 38 that is not related to fees.
- 39 SECTION 18. IC 25-1-9-1, AS AMENDED BY P.L.84-2010,
- 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2011]: Sec. 1. As used in this chapter, "board" means any of
- 42 the following:
- 43 (1) Board of chiropractic examiners (IC 25-10-1).
- 44 (2) State board of dentistry (IC 25-14-1).
- 45 (3) Indiana state board of health facility administrators
- 46 (IC 25-19-1).

- 1 (4) Medical licensing board of Indiana (IC 25-22.5-2).
 2 (5) Indiana state board of nursing (IC 25-23-1).
 3 (6) Indiana optometry board (IC 25-24).
 4 (7) Indiana board of pharmacy (IC 25-26).
 5 (8) Board of podiatric medicine (IC 25-29-2-1).
 6 (9) Speech-language pathology and audiology board
 7 (IC 25-35.6-2).
 8 (10) State psychology board (IC 25-33).
 9 (11) Indiana board of veterinary medical examiners
 10 (IC 25-38.1-2).
 11 (12) Indiana physical therapy committee (IC 25-27-1).
 12 (13) Respiratory care committee (IC 25-34.5).
 13 (14) Occupational therapy committee (IC 25-23.5).
 14 (15) Behavioral health and human services licensing board
 15 (IC 25-23.6).
 16 (16) Physician assistant committee (IC 25-27.5).
 17 (17) Indiana athletic trainers board (IC 25-5.1-2-1).
 18 (18) Indiana dietitians certification board (IC 25-14.5-2-1).
 19 **(19) Board of environmental health specialists**
 20 **(IC 25-32.1-1-6).**

21 SECTION 19. IC 25-32.1 IS ADDED TO THE INDIANA CODE
 22 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2011]:

24 **ARTICLE 32.1. ENVIRONMENTAL HEALTH SPECIALISTS**

25 **Chapter 1. Environmental Health Specialists**

26 **Sec. 1. As used in this chapter, "board" means the board of**
 27 **environmental health specialists.**

28 **Sec. 2. As used in this chapter, "certificate of registration"**
 29 **refers to a document issued by the board as evidence of**
 30 **registration and qualifications to practice as a registered**
 31 **environmental health specialist.**

32 **Sec. 3. As used in this chapter, "environmental health specialist**
 33 **trainee" means a person who possesses the necessary educational**
 34 **qualifications as prescribed in this chapter for registration as an**
 35 **environmental health specialist, but who has not completed the**
 36 **experience requirements in the fields of environmental sanitation**
 37 **as required for registration.**

38 **Sec. 4. As used in this chapter, "environmental sanitation"**
 39 **means the application of scientific principles to the control of air,**
 40 **water, waste, food, milk, shelter, vermin, and other external**
 41 **conditions of human surroundings that promote and preserve**
 42 **health, safety, comfort, and well-being and prolong human life.**

43 **Sec. 5. As used in this chapter, "registered environmental health**
 44 **specialist" means a person who:**

- 45 (1) is skilled in the science of public health and sanitary
 46 science;
 47 (2) practices as an environmental health specialist to improve

1 the hygienic condition of human surroundings in Indiana to
2 control epidemic and other diseases that may be spread by
3 insanitary and unhealthful conditions; and

4 (3) is registered under this chapter.

5 **Sec. 6. (a)** The board of environmental health specialists is
6 established.

7 **(b)** The board shall register qualified environmental health
8 specialists whose duties in public health, sanitary science, and
9 community hygiene require knowledge of the physical, biological,
10 and sanitary sciences and whose professional duties and pursuits
11 are necessary to the promotion and preservation of life, health, and
12 welfare of Indiana citizens.

13 **Sec. 7. (a)** The board of environmental health specialists consists
14 of the following seven (7) members:

15 **(1)** One (1) member who is an environmental health specialist
16 eligible for registration under this chapter to be appointed by
17 the state department of health, with the approval of the
18 governor.

19 **(2)** Six (6) members appointed by the governor as follows:

20 **(A)** Four (4) members who are environmental health
21 specialists.

22 **(B)** Two (2) members who:

23 **(i)** are other interested citizens;

24 **(ii)** are residents of Indiana; and

25 **(iii)** have never been associated with the sanitarian
26 profession in any way other than as a consumer.

27 **(b)** Beginning July 1, 2012, the environmental health specialists
28 appointed to the board must be environmental health specialists
29 registered under this chapter.

30 **Sec. 8. (a)** Except as provided in subsection (d), the term for a
31 member of the board is four (4) years.

32 **(b)** Vacancies shall be filled by appointment for unexpired terms
33 as originally appointed.

34 **(c)** The governor may remove any member of the board for
35 misconduct in office, incompetency, neglect of duty, or other
36 sufficient cause after due notice and a hearing.

37 **(d)** Notwithstanding subsection (a), the initial board members
38 under section 7(a) of this chapter must be appointed for terms as
39 follows:

40 **(1)** One (1) member appointed for a term of one (1) year.

41 **(2)** Two (2) members appointed for terms of two (2) years.

42 **(3)** Two (2) members appointed for terms of three (3) years.

43 **(4)** Two (2) members appointed for terms of four (4) years.

44 The state department shall appoint each initial board member with
45 the approval of the governor.

46 **Sec. 9. (a)** The members of the board shall annually elect a
47 chairman and vice chairman who are members of the board.

1 **(b) The board shall supervise the enforcement of this chapter**
 2 **and have the authority to fulfill its duties in this chapter. The**
 3 **board may use on a full-time or part-time basis any employees that**
 4 **are necessary to maintain records pertinent to the examination and**
 5 **registration of environmental health specialists, or to assist in any**
 6 **manner in the performance of duties as required under this**
 7 **chapter. The board may also use the staff of the Indiana**
 8 **professional licensing agency.**

9 **(c) Subject to IC 25-1-7, the board may hold hearings for the**
 10 **purpose of administrative adjudication of any matters that may**
 11 **properly come before it, make the necessary determinations, and**
 12 **issue such orders as may be consistent with the findings.**

13 **(d) The board may establish the procedures for conducting**
 14 **examinations and for obtaining the certificates and permits**
 15 **required by this chapter and methods by which the qualifications**
 16 **of an applicant shall be evaluated.**

17 **(e) The board may adopt reasonable rules under IC 4-22-2 to**
 18 **carry out and enforce this chapter. The board shall adopt rules**
 19 **establishing standards for the competent practice of an**
 20 **environmental health specialist.**

21 **(f) The board shall issue a certificate of registration, upon the**
 22 **payment of the registration fee set by the board, to any applicant,**
 23 **who, in the opinion of the board, has satisfactorily met all**
 24 **requirements of this chapter. The certificate of registration must**
 25 **include the name of the registrant, date of issue, serial number, seal**
 26 **of the board, and signatures of the members of the board.**

27 **(g) The board shall meet at least once a year to transact**
 28 **necessary business. Four (4) members of the board constitute a**
 29 **quorum. Special meetings of the board may be called by the**
 30 **chairman or shall be called upon written request of any three (3)**
 31 **members of the board. A majority of a quorum may transact**
 32 **business.**

33 **(h) Each member of the board who is not a state employee is**
 34 **entitled to the minimum salary per diem provided by**
 35 **IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement**
 36 **for traveling expenses and other expenses actually incurred in**
 37 **connection with the member's duties, as provided in the state travel**
 38 **policies and procedures established by the Indiana department of**
 39 **administration and approved by the budget agency.**

40 **(i) Each member of the board who is a state employee but who**
 41 **is not a member of the general assembly is entitled to**
 42 **reimbursement for traveling expenses and other expenses actually**
 43 **incurred in connection with the member's duties, as provided in the**
 44 **state travel policies and procedures established by the Indiana**
 45 **department of administration and approved by the budget agency.**

46 **Sec. 10. (a) Any person desiring to be registered as an**
 47 **environmental health specialist shall apply on a form prescribed by**

1 the board. The application must be accepted if accompanied by the
2 required fees.

3 (b) A person who meets the following qualifications is eligible
4 for registration under this chapter:

5 (1) Holds a baccalaureate degree from an accredited college
6 or university and has satisfactorily completed at least
7 forty-five (45) quarter hours or thirty (30) semester hours of
8 academic training in the basic physical, chemical, biological,
9 or sanitary sciences.

10 (2) Has been employed full time in the field of environmental
11 sanitation for a period of at least two (2) years within the
12 preceding five (5) years.

13 (3) Has not been convicted of:

14 (A) an act that would constitute a ground for disciplinary
15 sanctions under IC 25-1-9; or

16 (B) a crime that has a direct bearing on the person's ability
17 to practice competently.

18 (4) Has passed the examination given by the board under this
19 chapter.

20 (c) Notwithstanding subsection (b)(2), a person who holds a:

21 (1) master's degree in public health with a major in sanitary
22 science; or

23 (2) science degree higher than a baccalaureate degree;

24 and meets the science requirements in subsection (b)(1) may
25 substitute the master's or higher degree instead of one (1) year of
26 the experience requirements.

27 Sec. 11. (a) The board may issue permits to environmental
28 health specialist trainees. However, the permit expires three (3)
29 years after the date of issue and may not be renewed.

30 (b) An environmental health specialist trainee may qualify as a
31 registered environmental health specialist by meeting the
32 requirements in section 10 of this chapter, and upon payment of
33 the necessary fees.

34 Sec. 12. (a) The board shall prescribe examinations for
35 registration under this chapter. The examination must include
36 applicable subjects in the field of public health and sanitary science
37 and other subjects pertinent to environmental sanitation as
38 determined by the board. The board may use the services of a
39 testing company to prepare, conduct, and score examinations.

40 (b) If the applicant fails in the examination to meet the
41 minimum passing grade set by the board, the applicant shall not be
42 registered. The applicant may retake the examination at a time and
43 place specified by the board and upon resubmitting the applicant's
44 application accompanied by the necessary fees.

45 (c) Examinations must be given by the board not less than one
46 (1) time each calendar year at a date, time, and place in Indiana
47 determined by the board.

1 **Sec. 13. All registration fees and other fees and charges collected**
 2 **under this chapter shall be deposited with the state treasurer. The**
 3 **state treasurer shall deposit the amounts received in the state**
 4 **general fund. All expenses incurred in the administration of this**
 5 **chapter shall be paid from the state general fund upon**
 6 **appropriation being made in the manner provided by law for the**
 7 **making of appropriations.**

8 **Sec. 14. (a) The board shall prescribe and provide an**
 9 **application form for the use of all applicants for registration. The**
 10 **applicant shall pay at the time of application a registration fee in**
 11 **an amount set by the board.**

12 **(b) All certificates of registration issued by the board expire**
 13 **biennially on the date established by the licensing agency under**
 14 **IC 25-1-5-4. A renewal fee specified by the board by rule must be**
 15 **paid biennially on or before the date established by the licensing**
 16 **agency. If the renewal fee is not paid on or before the date**
 17 **established by the licensing agency, the certificate of registration**
 18 **expires and becomes invalid without further action by the board.**

19 **(c) A certificate of registration that has been expired for not**
 20 **more than three (3) years may be reinstated by the board if the**
 21 **holder of the invalid certificate meets the requirements in**
 22 **IC 25-1-8-6(c).**

23 **(d) If a certificate of registration has been expired for more than**
 24 **three (3) years, the certificate of registration may be reinstated by**
 25 **the board if the holder of the certificate of registration meets the**
 26 **requirements for reinstatement in IC 25-1-8-6(d).**

27 **Sec. 15. The board may, upon application and upon payment of**
 28 **the registration fee issue a certificate of registration to any person**
 29 **who holds a certificate of registration issued by the proper**
 30 **authority of any:**

- 31 **(1) state, territory, or possession of the United States; or**
- 32 **(2) any country;**

33 **if the requirements for the registration of environmental health**
 34 **specialists under which the certificate was issued do not conflict**
 35 **with the provisions of this chapter and at the time the certificate**
 36 **was granted were of a standard not lower than those specified in**
 37 **this chapter.**

38 **Sec. 16. (a) A person may not use:**

- 39 **(1) the title of a registered environmental health specialist; or**
- 40 **(2) words or letters to indicate that the person is a registered**
 41 **environmental health specialist;**

42 **unless the person is registered under this article.**

43 **(b) A person who knowingly or intentionally violates this section**
 44 **commits a Class B misdemeanor. Each day a violation continues**
 45 **constitutes a separate offense."**

46 Renumber all SECTIONS consecutively.

(Reference is to ESB 363 as printed April 12, 2011.)

Representative Goodin