

# COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 1242 because it conflicts with SEA 558-2013 and HEA 1135-2013 without properly recognizing the existence of SEA 558-2013 and and HEA 1135-2013, has had Engrossed Senate Bill 1242 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed Senate Bill 1242 be corrected as follows:

- 1           Page 5, delete lines 18 through 42, begin a new paragraph and
- 2           insert:
- 3           "SECTION 4. IC 25-1-6-3, AS AMENDED BY SEA 558,
- 4           SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5           JULY 1, 2013]: Sec. 3. (a) The licensing agency shall perform all
- 6           administrative functions, duties, and responsibilities assigned by law
- 7           or rule to the executive director, secretary, or other statutory
- 8           administrator of the following:
- 9           (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 10           (2) Board of registration for architects and landscape architects
- 11           (IC 25-4-1-2).
- 12           (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 13           (4) State board of cosmetology and barber examiners
- 14           (IC 25-8-3-1).
- 15           (5) State board of funeral and cemetery service (IC 25-15-9).
- 16           (6) State board of registration for professional engineers
- 17           (IC 25-31-1-3).
- 18           (7) Indiana plumbing commission (IC 25-28.5-1-3).
- 19           (8) Indiana real estate commission (IC 25-34.1).
- 20           (9) Real estate appraiser licensure and certification board
- 21           (IC 25-34.1-8-1).
- 22           (10) Private investigator and security guard licensing board
- 23           (IC 25-30-1-5.2).
- 24           (11) State board of registration for professional surveyors
- 25           (IC 25-21.5-2-1).
- 26           (12) Manufactured home installer licensing board (IC 25-23.7).
- 27           (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 28           (14) State board of massage therapy (IC 25-21.8-2-1).

1           **(15) Indiana diabetes educators board (IC 25-14.3-2-1).**

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

4           SECTION 5. IC 25-1-7-1, AS AMENDED BY SEA 558, SECTION  
5 28, AND AS AMENDED BY HEA 1135, SECTION 14, IS  
6 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:  
7 Sec. 1. As used in this chapter:

8           "Board" means the appropriate agency listed in the definition of  
9 regulated occupation in this section.

10          "Director" refers to the director of the division of consumer  
11 protection.

12          "Division" refers to the division of consumer protection, office of  
13 the attorney general.

14          "Licensee" means a person who is:

15           (1) licensed, certified, or registered by a board listed in this  
16 section; and

17           (2) the subject of a complaint filed with the division.

18          "Person" means an individual, a partnership, a limited liability  
19 company, or a corporation.

20          "Regulated occupation" means an occupation in which a person is  
21 licensed, certified, or registered by one (1) of the following:

22           (1) Indiana board of accountancy (IC 25-2.1-2-1).

23           (2) Board of registration for architects and landscape architects  
24 (IC 25-4-1-2).

25           (3) Indiana auctioneer commission (IC 25-6.1-2-1).

26           (4) Board of chiropractic examiners (IC 25-10-1).

27           (5) State board of cosmetology and barber examiners  
28 (IC 25-8-3-1).

29           (6) State board of dentistry (IC 25-14-1).

30           (7) State board of funeral and cemetery service (IC 25-15-9).

31           (8) State board of registration for professional engineers  
32 (IC 25-31-1-3).

33           (9) Indiana state board of health facility administrators  
34 (IC 25-19-1).

35           (10) Medical licensing board of Indiana (IC 25-22.5-2).

36           (11) Indiana state board of nursing (IC 25-23-1).

37           (12) Indiana optometry board (IC 25-24).

38           (13) Indiana board of pharmacy (IC 25-26).

39           (14) Indiana plumbing commission (IC 25-28.5-1-3).

40           (15) Board of podiatric medicine (IC 25-29-2-1).

- 1 (16) State psychology board (IC 25-33).
- 2 (17) Speech-language pathology and audiology board
- 3 (IC 25-35.6-2).
- 4 (18) Indiana real estate commission (IC 25-34.1-2).
- 5 (19) Indiana board of veterinary medical examiners (IC 25-38.1).
- 6 (20) Department of natural resources for purposes of licensing
- 7 water well drillers under IC 25-39-3.
- 8 (21) Respiratory care committee (IC 25-34.5).
- 9 (22) Private investigator and security guard licensing board
- 10 (IC 25-30-1-5.2).
- 11 (23) Occupational therapy committee (IC 25-23.5).
- 12 (24) Behavioral health and human services licensing board
- 13 (IC 25-23.6).
- 14 (25) Real estate appraiser licensure and certification board
- 15 (IC 25-34.1-8).
- 16 (26) State board of registration for professional surveyors
- 17 (IC 25-21.5-2-1).
- 18 (27) Physician assistant committee (IC 25-27.5).
- 19 (28) Indiana athletic trainers board (IC 25-5.1-2-1).
- 20 (29) Indiana dietitians certification board (IC 25-14.5-2-1).
- 21 (30) Indiana physical therapy committee (IC 25-27).
- 22 (31) Manufactured home installer licensing board (IC 25-23.7).
- 23 (32) Home inspectors licensing board (IC 25-20.2-3-1).
- 24 (33) State department of health, for out-of-state mobile health
- 25 care entities.
- 26 (34) State board of massage therapy (IC 25-21.8-2-1).
- 27 **(35) Indiana diabetes educators board (IC 25-14.3-2-1).**
- 28 ~~(35)~~ **(36)** Midwifery committee (IC 25-23.4-2-1).

- 1           ~~(36)~~ (37) Any other occupational or professional agency created
- 2           after June 30, 1981."
- 3           Delete page 6.
- 4           Page 7, delete lines 1 through 27.  
(Reference is to EHB 1242 as reprinted April 5, 2013.)

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Senator LONG, Chairperson

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Senator LANANE, R.M.M.

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Senator MILLER PATRICIA