



January 27, 2025

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## HOUSE BILL No. 1385

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DIGEST OF HB 1385 (Updated January 22, 2025 2:49 pm - DI 140)

**Citations Affected:** IC 16-28.

**Synopsis:** Health care facility employees. Provides an exception to one of the disqualifying conditions for a nurse aide or other unlicensed employee.

**Effective:** July 1, 2025.

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### Bascom, Goss-Reaves, Dant Chesser

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January 13, 2025, read first time and referred to Committee on Public Health.  
January 27, 2025, reported — Do Pass.

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HB 1385—LS 6864/DI 148





January 27, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## HOUSE BILL No. 1385

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-28-13-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A health care  
3 facility or an entity in the business of contracting to provide nurse aides  
4 or other unlicensed employees for a health care facility may not  
5 knowingly employ a person as a nurse aide or other unlicensed  
6 employee if one (1) or more of the following conditions exist:  
7 (1) The person has been convicted of any of the following:  
8 (A) A sex crime (IC 35-42-4).  
9 (B) Exploitation of an endangered adult (IC 35-46-1-12).  
10 (C) Failure to report battery, neglect, or exploitation of an  
11 endangered adult (IC 35-46-1-13).  
12 (D) Theft (IC 35-43-4), if the person's conviction for theft  
13 occurred less than five (5) years before the individual's  
14 employment application date, except as provided in  
15 IC 16-27-2-5(a)(5).  
16 (E) Murder (IC 35-42-1-1).  
17 (F) Voluntary manslaughter (IC 35-42-1-3).

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- 1 (G) Involuntary manslaughter (IC 35-42-1-4) within the
- 2 previous five (5) years.
- 3 (H) Felony battery within the previous five (5) years.
- 4 (I) A felony offense relating to controlled substances within
- 5 the previous five (5) years, **unless the person is certified as**
- 6 **a peer recovery coach through a credential recognized by**
- 7 **the division of mental health and addiction.**
- 8 (2) The person:
- 9 (A) has abused, neglected, or mistreated a patient or
- 10 misappropriated a patient's property; and
- 11 (B) had a finding entered into the state nurse aide registry.
- 12 (b) A person who knowingly or intentionally applies for a job as a
- 13 nurse aide or other unlicensed employee at:
- 14 (1) a health care facility; or
- 15 (2) an entity in the business of contracting to provide nurse aides
- 16 or other unlicensed employees for a health care facility;
- 17 after a conviction of one (1) or more of the offenses listed in subsection
- 18 (a)(1) commits a Class A infraction.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1385, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1385 as introduced.)

BARRETT

Committee Vote: Yeas 10, Nays 0

