



January 14, 2014

SENATE BILL No. 31

DIGEST OF SB 31 (Updated January 13, 2014 11:52 am - DI 84)

Citations Affected: IC 4-6; IC 4-21.5; IC 12-15; IC 25-0.5 ; IC 25-1; IC 33-23; IC 34-52.

Synopsis: Professions and occupations. Reorganization of certain licensing provisions. Provides for the reorganization of 12 Indiana Code sections containing frequently amended lists of professions and entities subject to professional licensing under IC 25-1. Makes no substantive change. Transfers the lists contained in each of these sections to corresponding chapters in a new IC 25 article. Sets forth the boilerplate language to be used when amending or adding a provision under the new structure. Updates affected internal references and cross-references. Removes obsolete references to entities not licensed by the professional licensing agency. Makes technical corrections. (The introduced version of this bill was prepared by the code revision commission.)

Effective: July 1, 2014.

Tomes

January 7, 2014, read first time and referred to Committee on Commerce, Economic Development & Technology.
January 13, 2014, reported favorably — Do Pass.

SB 31—LS 6037/DI 112



January 14, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 31

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 4-6-14-2, AS AMENDED BY P.L.226-2011,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 2. As used in this chapter, "health care provider"
4 means:
5 (1) a person listed in IC 16-39-7-1(a)(1) through
6 IC 16-39-7-1(a)(11); or
7 (2) a person licensed, certified, registered, or regulated by a ~~board~~
8 **listed an entity described in IC 25-1-9-1. IC 25-0.5-11.**
9 SECTION 2. IC 4-6-14-4, AS ADDED BY P.L.84-2010, SECTION
10 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
11 2014]: Sec. 4. As used in this chapter, "regulated professional" means
12 an individual who is regulated by a ~~board listed under IC 25-1-11-1. an~~
13 **entity described in IC 25-0.5-12.**
14 SECTION 3. IC 4-21.5-3-4 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Notice must be
16 given under this section concerning the following:

SB 31—LS 6037/DI 112



- 1 (1) The grant, renewal, restoration, transfer, or denial of a license
 2 by the bureau of motor vehicles under IC 9.
 3 (2) The grant, renewal, restoration, transfer, or denial of a
 4 noncommercial fishing or hunting license by the department of
 5 natural resources under IC 14.
 6 (3) The grant, renewal, restoration, transfer, or denial of a license
 7 by a ~~board~~ **an entity** described in ~~IC 25-1-8-1~~ **IC 25-0.5-9**.
 8 (4) The grant, renewal, suspension, revocation, or denial of a
 9 certificate of registration under IC 25-5.2.
 10 (5) A personnel decision by an agency.
 11 (6) The grant, renewal, restoration, transfer, or denial of a license
 12 by the department of environmental management or the
 13 commissioner of the department under the following:
 14 (A) Environmental management laws (as defined in
 15 IC 13-11-2-71) for the construction, installation, or
 16 modification of:
 17 (i) sewers and appurtenant facilities, devices, or structures
 18 for the collection and transport of sewage (as defined in
 19 IC 13-11-2-200) or storm water to a storage or treatment
 20 facility or to a point of discharge into the environment; or
 21 (ii) pipes, pumps, and appurtenant facilities, devices, or
 22 structures that are part of a public water system (as defined
 23 in IC 13-11-2-177.3) and that are used to transport water to
 24 a storage or treatment facility or to distribute water to the
 25 users of the public water system;
 26 where a federal, state, or local governmental body has given or
 27 will give public notice and has provided or will provide an
 28 opportunity for public participation concerning the activity
 29 that is the subject of the license.
 30 (B) Environmental management laws (as defined in
 31 IC 13-11-2-71) for the registration of a device or a piece of
 32 equipment.
 33 (C) IC 13-17-6-1 for a person to engage in the inspection,
 34 management, and abatement of asbestos containing material.
 35 (D) IC 13-18-11 for a person to operate a wastewater treatment
 36 plant.
 37 (E) IC 13-15-10 for a person to operate the following:
 38 (i) A solid waste incinerator or a waste to energy facility.
 39 (ii) A land disposal site.
 40 (iii) A facility described under IC 13-15-1-3 whose
 41 operation could have an adverse impact on the environment
 42 if not operated properly.



1 (F) IC 13-20-4 for a person to operate a municipal waste
2 collection and transportation vehicle.

3 (b) When an agency issues an order described by subsection (a), the
4 agency shall give a written notice of the order to the following persons:

5 (1) Each person to whom the order is specifically directed.

6 (2) Each person to whom a law requires notice to be given.

7 A person who is entitled to notice under this subsection is not a party
8 to any proceeding resulting from the grant of a petition for review
9 under section 7 of this chapter unless the person is designated as a
10 party on the record of the proceeding.

11 (c) The notice must include the following:

12 (1) A brief description of the order.

13 (2) A brief explanation of the available procedures and the time
14 limit for seeking administrative review of the order under section
15 7 of this chapter.

16 (3) Any information required by law.

17 (d) An order under this section is effective when it is served.
18 However, if a timely and sufficient application has been made for
19 renewal of a license described by subsection (a)(3) and review is
20 granted under section 7 of this chapter, the existing license does not
21 expire until the agency has disposed of the proceeding under this
22 chapter concerning the renewal, unless a statute other than this article
23 provides otherwise. This subsection does not preclude an agency from
24 issuing under IC 4-21.5-4 an emergency or other temporary order with
25 respect to the license.

26 (e) If a petition for review of an order described in subsection (a) is
27 filed within the period set by section 7 of this chapter and a petition for
28 stay of effectiveness of the order is filed by a party or another person
29 who has a pending petition for intervention in the proceeding, an
30 administrative law judge shall, as soon as practicable, conduct a
31 preliminary hearing to determine whether the order should be stayed in
32 whole or in part. The burden of proof in the preliminary hearing is on
33 the person seeking the stay. The administrative law judge may stay the
34 order in whole or in part. The order concerning the stay may be issued
35 after an order described in subsection (a) becomes effective. The
36 resulting order concerning the stay shall be served on the parties and
37 any person who has a pending petition for intervention in the
38 proceeding. It must include a statement of the facts and law on which
39 it is based.

40 SECTION 4. IC 12-15-11-2.5, AS ADDED BY P.L.197-2013,
41 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2014]: Sec. 2.5. (a) As used in this section, "transportation



- 1 provider" means a person:
- 2 (1) that is a common carrier, including a person that provides
- 3 transportation by a taxi; and
- 4 (2) that:
- 5 (A) is enrolled; or
- 6 (B) applies for enrollment;
- 7 in the Medicaid program as a Medicaid provider to render
- 8 transportation services to Medicaid recipients.
- 9 (b) This section does not apply to a transportation provider that is:
- 10 (1) exempt from federal taxation under Section 501(c)(3) of the
- 11 Internal Revenue Code;
- 12 (2) at the discretion of the secretary, granted a waiver of the bond
- 13 requirement under subsection (c) to provide transportation
- 14 services in a federal or state designated underserved area;
- 15 (3) at the discretion of the secretary, granted a waiver of the bond
- 16 requirement under subsection (c) based on the determination that
- 17 the provider does not pose a significant risk of submitting
- 18 fraudulent or false Medicaid claims;
- 19 (4) owned or controlled by a person that is licensed or certified by
- 20 ~~a board listed an entity described in IC 25-1-9-1; IC 25-0.5-11;~~
- 21 (5) owned or controlled by a pharmacy that has a permit issued
- 22 under IC 25-26-13;
- 23 (6) owned or controlled by a hospital licensed under IC 16-21; or
- 24 (7) required under federal law to obtain a surety bond to cover
- 25 Medicaid overpayments and false Medicaid claims and has
- 26 obtained a bond that complies with the applicable federal law.
- 27 (c) A transportation provider that applies for enrollment as a
- 28 Medicaid provider:
- 29 (1) as a new applicant;
- 30 (2) due to a change in ownership of a transportation provider
- 31 currently enrolled; or
- 32 (3) due to a purchase or transfer of the assets of a transportation
- 33 provider currently enrolled;
- 34 shall, at the time the transportation provider files a provider agreement
- 35 with the office, submit to the office a surety bond that meets the
- 36 requirements of subsection (d) and is issued by a surety that is
- 37 authorized by the office of the secretary.
- 38 (d) The following apply to a surety bond filed with the office under
- 39 this section:
- 40 (1) The surety bond must be continuously in effect for at least
- 41 three (3) years after the application is made as described in
- 42 subsection (c).



- 1 (2) The surety bond must provide coverage for liability of at least
2 fifty thousand dollars (\$50,000).
- 3 (3) The surety bond must name the:
4 (A) transportation provider as the principal;
5 (B) office as the obligee; and
6 (C) person that issues the surety bond, including the person's
7 heirs, executors, administrators, successors, and assignees,
8 jointly and severally, as surety.
- 9 (4) The surety bond must provide the surety's name, street address
10 or post office box number, city, state, and ZIP code.
- 11 (5) The surety bond must provide that the surety is liable under
12 the surety bond for a duplicate, erroneous, or false Medicaid
13 claim paid by the office or its fiscal agent to the transportation
14 provider during the term of the surety bond.
- 15 (6) The surety bond must provide that the bond may not be void
16 on a first recovery, but that suits may be instituted until the
17 penalty is exhausted.
- 18 (7) The surety bond must guarantee that the surety will, not later
19 than thirty (30) days after the surety receives written notice from
20 the office containing sufficient evidence to establish the surety's
21 liability under the surety bond as described in subdivision (5), pay
22 to the office the following amounts, not to exceed the full amount
23 of the surety bond:
24 (A) The amount of the duplicate, erroneous, or false claim that
25 was previously paid by the office or its fiscal agent to the
26 transportation provider, plus accrued interest.
27 (B) An assessment imposed under IC 12-15-22 by the office
28 on the transportation provider.
- 29 (8) The surety bond must provide that if the transportation
30 provider's provider agreement is not renewed or is terminated, the
31 surety bond submitted by the transportation provider remains in
32 effect until the last day of the surety bond coverage period and the
33 surety remains liable for a duplicate, erroneous, or false claim
34 paid by the office or its fiscal agent to the transportation provider
35 during the term of the surety bond.
- 36 (9) The surety bond must provide that actions under the surety
37 bond may be brought by the office or the attorney general.
- 38 (e) The office may revoke or deny a provider agreement for a
39 transportation provider's failure to comply with this section.
- 40 (f) The office may revoke a provider agreement if a transportation
41 provider cancels a surety bond required by this section.
- 42 (g) The office or its designee may, at any time, require a



1 transportation provider to demonstrate compliance with this section.

2 (h) If:

3 (1) a surety has paid the office for a liability incurred under a
4 surety bond under this section; and

5 (2) the transportation provider is subsequently successful in
6 appealing the determination of liability;

7 the office shall, upon completion of the appellate process, refund the
8 surety or the transportation provider the full amount paid for the
9 liability.

10 SECTION 5. IC 25-0.5 IS ADDED TO THE INDIANA CODE AS
11 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
12 2014]:

13 **ARTICLE 0.5. APPLICABILITY OF CERTAIN PROVISIONS**
14 **IN IC 25-1**

15 **Chapter 1. Initial License or Certificate Under IC 25-1-1.1-4**

16 **Sec. 1. IC 25-1-1.1-4 applies to an individual described in this**
17 **chapter who is applying for, or will be applying for, an initial**
18 **license or an initial certificate.**

19 **Sec. 2. IC 25-1-1.1-4 applies to an individual licensed or certified**
20 **under IC 25-2.5 (acupuncturists).**

21 **Sec. 3. IC 25-1-1.1-4 applies to an individual licensed or certified**
22 **under IC 25-10 (chiropractors).**

23 **Sec. 4. IC 25-1-1.1-4 applies to an individual licensed or certified**
24 **under IC 25-13 (dental hygienists).**

25 **Sec. 5. IC 25-1-1.1-4 applies to an individual licensed or certified**
26 **under IC 25-14 (dentists).**

27 **Sec. 6. IC 25-1-1.1-4 applies to an individual licensed or certified**
28 **under IC 25-14.5 (dietitians).**

29 **Sec. 7. IC 25-1-1.1-4 applies to an individual licensed or certified**
30 **under IC 25-17.3 (genetic counselors).**

31 **Sec. 8. IC 25-1-1.1-4 applies to an individual licensed or certified**
32 **under IC 25-19 (health facility and residential care facility**
33 **administrators).**

34 **Sec. 9. IC 25-1-1.1-4 applies to an individual licensed or certified**
35 **under IC 25-21.8 (massage therapists).**

36 **Sec. 10. IC 25-1-1.1-4 applies to an individual licensed or**
37 **certified under IC 25-22.5 (physicians).**

38 **Sec. 11. IC 25-1-1.1-4 applies to an individual licensed or**
39 **certified under IC 25-23 (nurses).**

40 **Sec. 12. IC 25-1-1.1-4 applies to an individual licensed or**
41 **certified under IC 25-23.4 (certified direct entry midwives).**

42 **Sec. 13. IC 25-1-1.1-4 applies to an individual licensed or**



1 certified under IC 25-23.5 (occupational therapists).

2 Sec. 14. IC 25-1-1.1-4 applies to an individual licensed or
3 certified under IC 25-23.6 (social workers, marriage and family
4 therapists, and counselors).

5 Sec. 15. IC 25-1-1.1-4 applies to an individual licensed or
6 certified under IC 25-24 (optometrists).

7 Sec. 16. IC 25-1-1.1-4 applies to an individual licensed or
8 certified under IC 25-26 (pharmacists).

9 Sec. 17. IC 25-1-1.1-4 applies to an individual licensed or
10 certified under IC 25-27 (physical therapists).

11 Sec. 18. IC 25-1-1.1-4 applies to an individual licensed or
12 certified under IC 25-27.5 (physician assistants).

13 Sec. 19. IC 25-1-1.1-4 applies to an individual licensed or
14 certified under IC 25-29 (podiatrists).

15 Sec. 20. IC 25-1-1.1-4 applies to an individual licensed or
16 certified under IC 25-33 (psychologists).

17 Sec. 21. IC 25-1-1.1-4 applies to an individual licensed or
18 certified under IC 25-34.5 (respiratory care practitioners).

19 Sec. 22. IC 25-1-1.1-4 applies to an individual licensed or
20 certified under IC 25-35.6 (speech pathologists and audiologists).

21 Sec. 23. IC 25-1-1.1-4 applies to an individual licensed or
22 certified under IC 25-38.1 (veterinarians).

23 **Chapter 2. Permits, Licenses, Certificates of Registration, and**
24 **Evidences of Authority Under IC 25-1-2-2.1**

25 Sec. 1. IC 25-1-2-2.1 applies to the permits, licenses, certificates
26 of registration, and evidences of authority described in this
27 chapter.

28 Sec. 2. IC 25-1-2-2.1 applies to permits or certificates held by
29 certified public accountants, public accountants, and accounting
30 practitioners.

31 Sec. 3. IC 25-1-2-2.1 applies to certificates of registration held
32 by architects and landscape architects.

33 Sec. 4. IC 25-1-2-2.1 applies to certificates of registration held
34 by professional engineers.

35 Sec. 5. IC 25-1-2-2.1 applies to certificates of registration held
36 by professional surveyors.

37 Sec. 6. IC 25-1-2-2.1 applies to licenses held by real estate
38 brokers.

39 Sec. 7. IC 25-1-2-2.1 applies to licenses held by real estate
40 agents.

41 Sec. 8. IC 25-1-2-2.1 applies to licenses issued by the securities
42 commissioner to security dealers.



- 1 **Sec. 9. IC 25-1-2-2.1 applies to licenses held by dental hygienists.**
2 **Sec. 10. IC 25-1-2-2.1 applies to licenses held by dentists.**
3 **Sec. 11. IC 25-1-2-2.1 applies to licenses held by veterinarians.**
4 **Sec. 12. IC 25-1-2-2.1 applies to licenses held by physicians.**
5 **Sec. 13. IC 25-1-2-2.1 applies to licenses held by chiropractors.**
6 **Sec. 14. IC 25-1-2-2.1 applies to licenses held by physical**
7 **therapists.**
8 **Sec. 15. IC 25-1-2-2.1 applies to licenses held by optometrists.**
9 **Sec. 16. IC 25-1-2-2.1 applies to licenses or permits held by**
10 **pharmacists and assistants, drugstores, or pharmacies.**
11 **Sec. 17. IC 25-1-2-2.1 applies to licenses held by mobile home**
12 **communities.**
13 **Sec. 18. IC 25-1-2-2.1 applies to licenses held by nurses.**
14 **Sec. 19. IC 25-1-2-2.1 applies to licenses held by podiatrists.**
15 **Sec. 20. IC 25-1-2-2.1 applies to licenses held by occupational**
16 **therapists and occupational therapy assistants.**
17 **Sec. 21. IC 25-1-2-2.1 applies to licenses held by respiratory care**
18 **practitioners.**
19 **Sec. 22. IC 25-1-2-2.1 applies to licenses held by social workers,**
20 **marriage and family therapists, and mental health counselors.**
21 **Sec. 23. IC 25-1-2-2.1 applies to licenses or certificates issued by**
22 **the real estate appraiser licensure and certification board to real**
23 **estate appraisers.**
24 **Sec. 24. IC 25-1-2-2.1 applies to licenses held by wholesale**
25 **legend drug distributors.**
26 **Sec. 25. IC 25-1-2-2.1 applies to licenses held by physician**
27 **assistants.**
28 **Sec. 26. IC 25-1-2-2.1 applies to certifications held by dietitians.**
29 **Sec. 27. IC 25-1-2-2.1 applies to certificates of registration held**
30 **by athlete agents.**
31 **Sec. 28. IC 25-1-2-2.1 applies to licenses held by manufactured**
32 **home installers.**
33 **Sec. 29. IC 25-1-2-2.1 applies to licenses held by home**
34 **inspectors.**
35 **Sec. 30. IC 25-1-2-2.1 applies to certifications held by massage**
36 **therapists.**
37 **Sec. 31. IC 25-1-2-2.1 applies to registrations held by interior**
38 **designers.**
39 **Sec. 32. IC 25-1-2-2.1 applies to licenses held by genetic**
40 **counselors.**
41 **Sec. 33. IC 25-1-2-2.1 applies to certifications held by direct**
42 **entry midwives.**



- 1 **Chapter 3. Entities Under IC 25-1-2-6**
2 **Sec. 1. IC 25-1-2-6(b) applies to the entities described in this**
3 **chapter.**
4 **Sec. 2. IC 25-1-2-6(b) applies to the Indiana board of**
5 **accountancy.**
6 **Sec. 3. IC 25-1-2-6(b) applies to the Indiana grain buyers and**
7 **warehouse licensing agency.**
8 **Sec. 4. IC 25-1-2-6(b) applies to the Indiana auctioneer**
9 **commission.**
10 **Sec. 5. IC 25-1-2-6(b) applies to the board of registration for**
11 **architects and landscape architects.**
12 **Sec. 6. IC 25-1-2-6(b) applies to the state board of cosmetology**
13 **and barber examiners.**
14 **Sec. 7. IC 25-1-2-6(b) applies to the medical licensing board of**
15 **Indiana.**
16 **Sec. 8. IC 25-1-2-6(b) applies to the secretary of state.**
17 **Sec. 9. IC 25-1-2-6(b) applies to the state board of dentistry.**
18 **Sec. 10. IC 25-1-2-6(b) applies to the state board of funeral and**
19 **cemetery service.**
20 **Sec. 11. IC 25-1-2-6(b) applies to the worker's compensation**
21 **board of Indiana.**
22 **Sec. 12. IC 25-1-2-6(b) applies to the Indiana state board of**
23 **health facility administrators.**
24 **Sec. 13. IC 25-1-2-6(b) applies to the committee of hearing aid**
25 **dealer examiners.**
26 **Sec. 14. IC 25-1-2-6(b) applies to the Indiana state board of**
27 **nursing.**
28 **Sec. 15. IC 25-1-2-6(b) applies to the Indiana optometry board.**
29 **Sec. 16. IC 25-1-2-6(b) applies to the Indiana board of**
30 **pharmacy.**
31 **Sec. 17. IC 25-1-2-6(b) applies to the Indiana plumbing**
32 **commission.**
33 **Sec. 18. IC 25-1-2-6(b) applies to the board of podiatric**
34 **medicine.**
35 **Sec. 19. IC 25-1-2-6(b) applies to the private investigator and**
36 **security guard licensing board.**
37 **Sec. 20. IC 25-1-2-6(b) applies to the state board of registration**
38 **for professional engineers.**
39 **Sec. 21. IC 25-1-2-6(b) applies to the state psychology board.**
40 **Sec. 22. IC 25-1-2-6(b) applies to the Indiana real estate**
41 **commission.**
42 **Sec. 23. IC 25-1-2-6(b) applies to the speech-language pathology**



- 1 and audiology board.
- 2 Sec. 24. IC 25-1-2-6(b) applies to the department of natural
3 resources.
- 4 Sec. 25. IC 25-1-2-6(b) applies to the board of chiropractic
5 examiners.
- 6 Sec. 26. IC 25-1-2-6(b) applies to the mining board.
- 7 Sec. 27. IC 25-1-2-6(b) applies to the Indiana board of
8 veterinary medical examiners.
- 9 Sec. 28. IC 25-1-2-6(b) applies to the state department of health.
- 10 Sec. 29. IC 25-1-2-6(b) applies to the Indiana physical therapy
11 committee.
- 12 Sec. 30. IC 25-1-2-6(b) applies to the respiratory care
13 committee.
- 14 Sec. 31. IC 25-1-2-6(b) applies to the occupational therapy
15 committee.
- 16 Sec. 32. IC 25-1-2-6(b) applies to the behavioral health and
17 human services licensing board.
- 18 Sec. 33. IC 25-1-2-6(b) applies to the real estate appraiser
19 licensure and certification board.
- 20 Sec. 34. IC 25-1-2-6(b) applies to the state board of registration
21 for professional surveyors.
- 22 Sec. 35. IC 25-1-2-6(b) applies to the physician assistant
23 committee.
- 24 Sec. 36. IC 25-1-2-6(b) applies to the Indiana dietitians
25 certification board.
- 26 Sec. 37. IC 25-1-2-6(b) applies to the attorney general (only for
27 the regulation of athlete agents).
- 28 Sec. 38. IC 25-1-2-6(b) applies to the manufactured home
29 installer licensing board.
- 30 Sec. 39. IC 25-1-2-6(b) applies to the home inspectors licensing
31 board.
- 32 Sec. 40. IC 25-1-2-6(b) applies to the state board of massage
33 therapy.
- 34 Sec. 41. IC 25-1-2-6(b) applies to the midwifery committee.
- 35 Sec. 42. IC 25-1-2-6(b) applies to any other occupational or
36 professional agency created after June 30, 1981.
- 37 Chapter 4. "Board" as Used in IC 25-1-4
- 38 Sec. 1. As used in IC 25-1-4, "board" means any of the entities
39 described in this chapter.
- 40 Sec. 2. The Indiana board of accountancy (IC 25-2.1-2-1) is a
41 board under IC 25-1-4.
- 42 Sec. 3. The board of registration for architects and landscape



- 1 architects (IC 25-4-1-2) is a board under IC 25-1-4.
- 2 Sec. 4. The Indiana athletic trainers board (IC 25-5.1-2-1) is a
3 board under IC 25-1-4.
- 4 Sec. 5. The Indiana auctioneer commission (IC 25-6.1-2-1) is a
5 board under IC 25-1-4.
- 6 Sec. 6. The board of chiropractic examiners (IC 25-10-1) is a
7 board under IC 25-1-4.
- 8 Sec. 7. The state board of cosmetology and barber examiners
9 (IC 25-8-3-1) is a board under IC 25-1-4.
- 10 Sec. 8. The state board of dentistry (IC 25-14-1) is a board
11 under IC 25-1-4.
- 12 Sec. 9. The Indiana dietitians certification board
13 (IC 25-14.5-2-1) is a board under IC 25-1-4.
- 14 Sec. 10. The state board of registration for professional
15 engineers (IC 25-31-1-3) is a board under IC 25-1-4.
- 16 Sec. 11. The state board of funeral and cemetery service
17 (IC 25-15-9) is a board under IC 25-1-4.
- 18 Sec. 12. The Indiana state board of health facility
19 administrators (IC 25-19-1) is a board under IC 25-1-4.
- 20 Sec. 13. The committee of hearing aid dealer examiners
21 (IC 25-20-1-1.5) is a board under IC 25-1-4.
- 22 Sec. 14. The home inspectors licensing board (IC 25-20.2-3-1) is
23 a board under IC 25-1-4.
- 24 Sec. 15. The state board of registration for professional
25 surveyors (IC 25-21.5-2-1) is a board under IC 25-1-4.
- 26 Sec. 16. The manufactured home installer licensing board
27 (IC 25-23.7) is a board under IC 25-1-4.
- 28 Sec. 17. The medical licensing board of Indiana (IC 25-22.5-2)
29 is a board under IC 25-1-4.
- 30 Sec. 18. The Indiana state board of nursing (IC 25-23-1) is a
31 board under IC 25-1-4.
- 32 Sec. 19. The occupational therapy committee (IC 25-23.5) is a
33 board under IC 25-1-4.
- 34 Sec. 20. The Indiana optometry board (IC 25-24) is a board
35 under IC 25-1-4.
- 36 Sec. 21. The Indiana board of pharmacy (IC 25-26) is a board
37 under IC 25-1-4.
- 38 Sec. 22. The Indiana physical therapy committee (IC 25-27-1) is
39 a board under IC 25-1-4.
- 40 Sec. 23. The physician assistant committee (IC 25-27.5) is a
41 board under IC 25-1-4.
- 42 Sec. 24. The Indiana plumbing commission (IC 25-28.5-1-3) is



- 1 a board under IC 25-1-4.
- 2 Sec. 25. The board of podiatric medicine (IC 25-29-2-1) is a
3 board under IC 25-1-4.
- 4 Sec. 26. The private investigator and security guard licensing
5 board (IC 25-30-1-5.2) is a board under IC 25-1-4.
- 6 Sec. 27. The state psychology board (IC 25-33) is a board under
7 IC 25-1-4.
- 8 Sec. 28. The Indiana real estate commission (IC 25-34.1-2) is a
9 board under IC 25-1-4.
- 10 Sec. 29. The real estate appraiser licensure and certification
11 board (IC 25-34.1-8) is a board under IC 25-1-4.
- 12 Sec. 30. The respiratory care committee (IC 25-34.5) is a board
13 under IC 25-1-4.
- 14 Sec. 31. The behavioral health and human services licensing
15 board (IC 25-23.6) is a board under IC 25-1-4.
- 16 Sec. 32. The speech-language pathology and audiology board
17 (IC 25-35.6-2) is a board under IC 25-1-4.
- 18 Sec. 33. The Indiana board of veterinary medical examiners
19 (IC 25-38.1-2) is a board under IC 25-1-4.
- 20 Chapter 5. Performance of Administrative Functions, Duties,
21 and Responsibilities for Entities by the Indiana Professional
22 Licensing Agency Under IC 25-1-5-3
- 23 Sec. 1. This chapter sets forth the entities for which the Indiana
24 professional licensing agency performs administrative functions,
25 duties, and responsibilities under IC 25-1-5-3(a).
- 26 Sec. 2. The Indiana professional licensing agency shall perform
27 administrative functions, duties, and responsibilities for the board
28 of chiropractic examiners (IC 25-10-1) under IC 25-1-5-3(a).
- 29 Sec. 3. The Indiana professional licensing agency shall perform
30 administrative functions, duties, and responsibilities for the state
31 board of dentistry (IC 25-14-1) under IC 25-1-5-3(a).
- 32 Sec. 4. The Indiana professional licensing agency shall perform
33 administrative functions, duties, and responsibilities for the
34 Indiana state board of health facility administrators (IC 25-19-1)
35 under IC 25-1-5-3(a).
- 36 Sec. 5. The Indiana professional licensing agency shall perform
37 administrative functions, duties, and responsibilities for the
38 medical licensing board of Indiana (IC 25-22.5-2) under
39 IC 25-1-5-3(a).
- 40 Sec. 6. The Indiana professional licensing agency shall perform
41 administrative functions, duties, and responsibilities for the
42 Indiana state board of nursing (IC 25-23-1) under IC 25-1-5-3(a).



1 **Sec. 7. The Indiana professional licensing agency shall perform**
2 **administrative functions, duties, and responsibilities for the**
3 **Indiana optometry board (IC 25-24) under IC 25-1-5-3(a).**

4 **Sec. 8. The Indiana professional licensing agency shall perform**
5 **administrative functions, duties, and responsibilities for the**
6 **Indiana board of pharmacy (IC 25-26) under IC 25-1-5-3(a).**

7 **Sec. 9. The Indiana professional licensing agency shall perform**
8 **administrative functions, duties, and responsibilities for the board**
9 **of podiatric medicine (IC 25-29-2-1) under IC 25-1-5-3(a).**

10 **Sec. 10. The Indiana professional licensing agency shall perform**
11 **administrative functions, duties, and responsibilities for the**
12 **speech-language pathology and audiology board (IC 25-35.6-2)**
13 **under IC 25-1-5-3(a).**

14 **Sec. 11. The Indiana professional licensing agency shall perform**
15 **administrative functions, duties, and responsibilities for the state**
16 **psychology board (IC 25-33) under IC 25-1-5-3(a).**

17 **Sec. 12. The Indiana professional licensing agency shall perform**
18 **administrative functions, duties, and responsibilities for the**
19 **Indiana board of veterinary medical examiners (IC 25-38.1-2)**
20 **under IC 25-1-5-3(a).**

21 **Sec. 13. The Indiana professional licensing agency shall perform**
22 **administrative functions, duties, and responsibilities for the**
23 **committee of hearing aid dealer examiners (IC 25-20) under**
24 **IC 25-1-5-3(a).**

25 **Sec. 14. The Indiana professional licensing agency shall perform**
26 **administrative functions, duties, and responsibilities for the**
27 **Indiana physical therapy committee (IC 25-27) under**
28 **IC 25-1-5-3(a).**

29 **Sec. 15. The Indiana professional licensing agency shall perform**
30 **administrative functions, duties, and responsibilities for the**
31 **respiratory care committee (IC 25-34.5) under IC 25-1-5-3(a).**

32 **Sec. 16. The Indiana professional licensing agency shall perform**
33 **administrative functions, duties, and responsibilities for the**
34 **occupational therapy committee (IC 25-23.5) under IC 25-1-5-3(a).**

35 **Sec. 17. The Indiana professional licensing agency shall perform**
36 **administrative functions, duties, and responsibilities for the**
37 **behavioral health and human services licensing board (IC 25-23.6)**
38 **under IC 25-1-5-3(a).**

39 **Sec. 18. The Indiana professional licensing agency shall perform**
40 **administrative functions, duties, and responsibilities for the**
41 **physician assistant committee (IC 25-27.5) under IC 25-1-5-3(a).**

42 **Sec. 19. The Indiana professional licensing agency shall perform**



1 administrative functions, duties, and responsibilities for the
 2 Indiana athletic trainers board (IC 25-5.1-2-1) under
 3 IC 25-1-5-3(a).

4 **Sec. 20.** The Indiana professional licensing agency shall perform
 5 administrative functions, duties, and responsibilities for the
 6 Indiana dietitians certification board (IC 25-14.5-2-1) under
 7 IC 25-1-5-3(a).

8 **Sec. 21.** The Indiana professional licensing agency shall perform
 9 administrative functions, duties, and responsibilities for the
 10 midwifery committee (IC 25-23.4-2-1) under IC 25-1-5-3(a).

11 **Chapter 6. "Provider" as Used in IC 25-1-5-10**

12 **Sec. 1.** As used in IC 25-1-5-10, "provider" means an individual
 13 licensed, certified, registered, or permitted by any of the entities
 14 described in this chapter.

15 **Sec. 2.** An individual licensed, certified, registered, or permitted
 16 by the board of chiropractic examiners (IC 25-10-1) is a provider
 17 under IC 25-1-5-10.

18 **Sec. 3.** An individual licensed, certified, registered, or permitted
 19 by the state board of dentistry (IC 25-14-1) is a provider under
 20 IC 25-1-5-10.

21 **Sec. 4.** An individual licensed, certified, registered, or permitted
 22 by the Indiana state board of health facility administrators
 23 (IC 25-19-1) is a provider under IC 25-1-5-10.

24 **Sec. 5.** An individual licensed, certified, registered, or permitted
 25 by the medical licensing board of Indiana (IC 25-22.5-2) is a
 26 provider under IC 25-1-5-10.

27 **Sec. 6.** An individual licensed, certified, registered, or permitted
 28 by the Indiana state board of nursing (IC 25-23-1) is a provider
 29 under IC 25-1-5-10.

30 **Sec. 7.** An individual licensed, certified, registered, or permitted
 31 by the Indiana optometry board (IC 25-24) is a provider under
 32 IC 25-1-5-10.

33 **Sec. 8.** An individual licensed, certified, registered, or permitted
 34 by the Indiana board of pharmacy (IC 25-26) is a provider under
 35 IC 25-1-5-10.

36 **Sec. 9.** An individual licensed, certified, registered, or permitted
 37 by the board of podiatric medicine (IC 25-29-2-1) is a provider
 38 under IC 25-1-5-10.

39 **Sec. 10.** An individual licensed, certified, registered, or
 40 permitted by the speech-language pathology and audiology board
 41 (IC 25-35.6-2) is a provider under IC 25-1-5-10.

42 **Sec. 11.** An individual licensed, certified, registered, or



1 permitted by the state psychology board (IC 25-33) is a provider
2 under IC 25-1-5-10.

3 Sec. 12. An individual licensed, certified, registered, or
4 permitted by the Indiana board of veterinary medical examiners
5 (IC 25-38.1-2) is a provider under IC 25-1-5-10.

6 Sec. 13. An individual licensed, certified, registered, or
7 permitted by the Indiana physical therapy committee (IC 25-27) is
8 a provider under IC 25-1-5-10.

9 Sec. 14. An individual licensed, certified, registered, or
10 permitted by the respiratory care committee (IC 25-34.5) is a
11 provider under IC 25-1-5-10.

12 Sec. 15. An individual licensed, certified, registered, or
13 permitted by the occupational therapy committee (IC 25-23.5) is a
14 provider under IC 25-1-5-10.

15 Sec. 16. An individual licensed, certified, registered, or
16 permitted by the behavioral health and human services licensing
17 board (IC 25-23.6) is a provider under IC 25-1-5-10.

18 Sec. 17. An individual licensed, certified, registered, or
19 permitted by the physician assistant committee (IC 25-27.5) is a
20 provider under IC 25-1-5-10.

21 Sec. 18. An individual licensed, certified, registered, or
22 permitted by the Indiana athletic trainers board (IC 25-5.1-2-1) is
23 a provider under IC 25-1-5-10.

24 Sec. 19. An individual licensed, certified, registered, or
25 permitted by the Indiana dietitians certification board
26 (IC 25-14.5-2-1) is a provider under IC 25-1-5-10.

27 Sec. 20. An individual licensed, certified, registered, or
28 permitted by the midwifery committee (IC 25-23.4-2-1) is a
29 provider under IC 25-1-5-10.

30 Chapter 7. Performance of Administrative Functions, Duties,
31 and Responsibilities for Entities by the Indiana Professional
32 Licensing Agency Under IC 25-1-6-3

33 Sec. 1. This chapter sets forth the entities for which the Indiana
34 professional licensing agency performs administrative functions,
35 duties, and responsibilities under IC 25-1-6-3(a).

36 Sec. 2. The Indiana professional licensing agency shall perform
37 administrative functions, duties, and responsibilities for the
38 Indiana board of accountancy (IC 25-2.1-2-1) under IC 25-1-6-3(a).

39 Sec. 3. The Indiana professional licensing agency shall perform
40 administrative functions, duties, and responsibilities for the board
41 of registration for architects and landscape architects (IC 25-4-1-2)
42 under IC 25-1-6-3(a).



1 **Sec. 4. The Indiana professional licensing agency shall perform**
2 **administrative functions, duties, and responsibilities for the**
3 **Indiana auctioneer commission (IC 25-6.1-2-1) under**
4 **IC 25-1-6-3(a).**

5 **Sec. 5. The Indiana professional licensing agency shall perform**
6 **administrative functions, duties, and responsibilities for the state**
7 **board of cosmetology and barber examiners (IC 25-8-3-1) under**
8 **IC 25-1-6-3(a).**

9 **Sec. 6. The Indiana professional licensing agency shall perform**
10 **administrative functions, duties, and responsibilities for the state**
11 **board of funeral and cemetery service (IC 25-15-9) under**
12 **IC 25-1-6-3(a).**

13 **Sec. 7. The Indiana professional licensing agency shall perform**
14 **administrative functions, duties, and responsibilities for the state**
15 **board of registration for professional engineers (IC 25-31-1-3)**
16 **under IC 25-1-6-3(a).**

17 **Sec. 8. The Indiana professional licensing agency shall perform**
18 **administrative functions, duties, and responsibilities for the**
19 **Indiana plumbing commission (IC 25-28.5-1-3) under**
20 **IC 25-1-6-3(a).**

21 **Sec. 9. The Indiana professional licensing agency shall perform**
22 **administrative functions, duties, and responsibilities for the**
23 **Indiana real estate commission (IC 25-34.1) under IC 25-1-6-3(a).**

24 **Sec. 10. The Indiana professional licensing agency shall perform**
25 **administrative functions, duties, and responsibilities for the real**
26 **estate appraiser licensure and certification board (IC 25-34.1-8-1)**
27 **under IC 25-1-6-3(a).**

28 **Sec. 11. The Indiana professional licensing agency shall perform**
29 **administrative functions, duties, and responsibilities for the private**
30 **investigator and security guard licensing board (IC 25-30-1-5.2)**
31 **under IC 25-1-6-3(a).**

32 **Sec. 12. The Indiana professional licensing agency shall perform**
33 **administrative functions, duties, and responsibilities for the state**
34 **board of registration for professional surveyors (IC 25-21.5-2-1)**
35 **under IC 25-1-6-3(a).**

36 **Sec. 13. The Indiana professional licensing agency shall perform**
37 **administrative functions, duties, and responsibilities for the**
38 **manufactured home installer licensing board (IC 25-23.7) under**
39 **IC 25-1-6-3(a).**

40 **Sec. 14. The Indiana professional licensing agency shall perform**
41 **administrative functions, duties, and responsibilities for the home**
42 **inspectors licensing board (IC 25-20.2-3-1) under IC 25-1-6-3(a).**



1 **Sec. 15. The Indiana professional licensing agency shall perform**
2 **administrative functions, duties, and responsibilities for the state**
3 **board of massage therapy (IC 25-21.8-2-1) under IC 25-1-6-3(a).**

4 **Chapter 8. "Regulated Occupation" for Purposes of IC 25-1-7**

5 **Sec. 1. For purposes of IC 25-1-7, "regulated occupation" means**
6 **an occupation for which a person is licensed, certified, or**
7 **registered by one (1) of the entities described in this chapter.**

8 **Sec. 2. An occupation for which a person is licensed, certified,**
9 **or registered by the Indiana board of accountancy (IC 25-2.1-2-1)**
10 **is a regulated occupation under IC 25-1-7.**

11 **Sec. 3. An occupation for which a person is licensed, certified,**
12 **or registered by the board of registration for architects and**
13 **landscape architects (IC 25-4-1-2) is a regulated occupation under**
14 **IC 25-1-7.**

15 **Sec. 4. An occupation for which a person is licensed, certified,**
16 **or registered by the Indiana auctioneer commission (IC 25-6.1-2-1)**
17 **is a regulated occupation under IC 25-1-7.**

18 **Sec. 5. An occupation for which a person is licensed, certified,**
19 **or registered by the board of chiropractic examiners (IC 25-10-1)**
20 **is a regulated occupation under IC 25-1-7.**

21 **Sec. 6. An occupation for which a person is licensed, certified,**
22 **or registered by the state board of cosmetology and barber**
23 **examiners (IC 25-8-3-1) is a regulated occupation under IC 25-1-7.**

24 **Sec. 7. An occupation for which a person is licensed, certified,**
25 **or registered by the state board of dentistry (IC 25-14-1) is a**
26 **regulated occupation under IC 25-1-7.**

27 **Sec. 8. An occupation for which a person is licensed, certified,**
28 **or registered by the state board of funeral and cemetery service**
29 **(IC 25-15-9) is a regulated occupation under IC 25-1-7.**

30 **Sec. 9. An occupation for which a person is licensed, certified,**
31 **or registered by the state board of registration for professional**
32 **engineers (IC 25-31-1-3) is a regulated occupation under IC 25-1-7.**

33 **Sec. 10. An occupation for which a person is licensed, certified,**
34 **or registered by the Indiana state board of health facility**
35 **administrators (IC 25-19-1) is a regulated occupation under**
36 **IC 25-1-7.**

37 **Sec. 11. An occupation for which a person is licensed, certified,**
38 **or registered by the medical licensing board of Indiana**
39 **(IC 25-22.5-2) is a regulated occupation under IC 25-1-7.**

40 **Sec. 12. An occupation for which a person is licensed, certified,**
41 **or registered by the Indiana state board of nursing (IC 25-23-1) is**
42 **a regulated occupation under IC 25-1-7.**



1 **Sec. 13. An occupation for which a person is licensed, certified,**
2 **or registered by the Indiana optometry board (IC 25-24) is a**
3 **regulated occupation under IC 25-1-7.**

4 **Sec. 14. An occupation for which a person is licensed, certified,**
5 **or registered by the Indiana board of pharmacy (IC 25-26) is a**
6 **regulated occupation under IC 25-1-7.**

7 **Sec. 15. An occupation for which a person is licensed, certified,**
8 **or registered by the Indiana plumbing commission (IC 25-28.5-1-3)**
9 **is a regulated occupation under IC 25-1-7.**

10 **Sec. 16. An occupation for which a person is licensed, certified,**
11 **or registered by the board of podiatric medicine (IC 25-29-2-1) is**
12 **a regulated occupation under IC 25-1-7.**

13 **Sec. 17. An occupation for which a person is licensed, certified,**
14 **or registered by the state psychology board (IC 25-33) is a**
15 **regulated occupation under IC 25-1-7.**

16 **Sec. 18. An occupation for which a person is licensed, certified,**
17 **or registered by the speech-language pathology and audiology**
18 **board (IC 25-35.6-2) is a regulated occupation under IC 25-1-7.**

19 **Sec. 19. An occupation for which a person is licensed, certified,**
20 **or registered by the Indiana real estate commission (IC 25-34.1-2)**
21 **is a regulated occupation under IC 25-1-7.**

22 **Sec. 20. An occupation for which a person is licensed, certified,**
23 **or registered by the Indiana board of veterinary medical**
24 **examiners (IC 25-38.1) is a regulated occupation under IC 25-1-7.**

25 **Sec. 21. A well water driller licensed by the department of**
26 **natural resources under IC 25-39-3 is a regulated occupation under**
27 **IC 25-1-7.**

28 **Sec. 22. An occupation for which a person is licensed, certified,**
29 **or registered by the respiratory care committee (IC 25-34.5) is a**
30 **regulated occupation under IC 25-1-7.**

31 **Sec. 23. An occupation for which a person is licensed, certified,**
32 **or registered by the private investigator and security guard**
33 **licensing board (IC 25-30-1-5.2) is a regulated occupation under**
34 **IC 25-1-7.**

35 **Sec. 24. An occupation for which a person is licensed, certified,**
36 **or registered by the occupational therapy committee (IC 25-23.5)**
37 **is a regulated occupation under IC 25-1-7.**

38 **Sec. 25. An occupation for which a person is licensed, certified,**
39 **or registered by the behavioral health and human services licensing**
40 **board (IC 25-23.6) is a regulated occupation under IC 25-1-7.**

41 **Sec. 26. An occupation for which a person is licensed, certified,**
42 **or registered by the real estate appraiser licensure and certification**



- 1 board (IC 25-34.1-8) is a regulated occupation under IC 25-1-7.
- 2 Sec. 27. An occupation for which a person is licensed, certified,
3 or registered by the state board of registration for professional
4 surveyors (IC 25-21.5-2-1) is a regulated occupation under
5 IC 25-1-7.
- 6 Sec. 28. An occupation for which a person is licensed, certified,
7 or registered by the physician assistant committee (IC 25-27.5) is
8 a regulated occupation under IC 25-1-7.
- 9 Sec. 29. An occupation for which a person is licensed, certified,
10 or registered by the Indiana athletic trainers board (IC 25-5.1-2-1)
11 is a regulated occupation under IC 25-1-7.
- 12 Sec. 30. An occupation for which a person is licensed, certified,
13 or registered by the Indiana dietitians certification board
14 (IC 25-14.5-2-1) is a regulated occupation under IC 25-1-7.
- 15 Sec. 31. An occupation for which a person is licensed, certified,
16 or registered by the Indiana physical therapy committee (IC 25-27)
17 is a regulated occupation under IC 25-1-7.
- 18 Sec. 32. An occupation for which a person is licensed, certified,
19 or registered by the manufactured home installer licensing board
20 (IC 25-23.7) is a regulated occupation under IC 25-1-7.
- 21 Sec. 33. An occupation for which a person is licensed, certified,
22 or registered by the home inspectors licensing board
23 (IC 25-20.2-3-1) is a regulated occupation under IC 25-1-7.
- 24 Sec. 34. Regarding out-of-state mobile health care entities, an
25 occupation for which a person is licensed, certified, or registered
26 by the state department of health is a regulated occupation under
27 IC 25-1-7.
- 28 Sec. 35. An occupation for which a person is licensed, certified,
29 or registered by the state board of massage therapy
30 (IC 25-21.8-2-1) is a regulated occupation under IC 25-1-7.
- 31 Sec. 36. An occupation for which a person is licensed, certified,
32 or registered by the midwifery committee (IC 25-23.4-2-1) is a
33 regulated occupation under IC 25-1-7.
- 34 Sec. 37. An occupation for which a person is licensed, certified,
35 or registered by any other occupational or professional agency
36 created after June 30, 1981, is a regulated occupation under
37 IC 25-1-7.
- 38 Chapter 9. "Board" as Used in IC 25-1-8
- 39 Sec. 1. As used in IC 25-1-8, "board" means any of the entities
40 described in this chapter.
- 41 Sec. 2. The Indiana board of accountancy (IC 25-2.1-2-1) is a
42 board under IC 25-1-8.



1 **Sec. 3. The board of registration for architects and landscape**
 2 **architects (IC 25-4-1-2) is a board under IC 25-1-8.**

3 **Sec. 4. The Indiana auctioneer commission (IC 25-6.1-2-1) is a**
 4 **board under IC 25-1-8.**

5 **Sec. 5. The board of chiropractic examiners (IC 25-10-1) is a**
 6 **board under IC 25-1-8.**

7 **Sec. 6. The state board of cosmetology and barber examiners**
 8 **(IC 25-8-3-1) is a board under IC 25-1-8.**

9 **Sec. 7. The state board of dentistry (IC 25-14-1) is a board**
 10 **under IC 25-1-8.**

11 **Sec. 8. The state board of funeral and cemetery service**
 12 **(IC 25-15) is a board under IC 25-1-8.**

13 **Sec. 9. The state board of registration for professional engineers**
 14 **(IC 25-31-1-3) is a board under IC 25-1-8.**

15 **Sec. 10. The Indiana state board of health facility**
 16 **administrators (IC 25-19-1) is a board under IC 25-1-8.**

17 **Sec. 11. The medical licensing board of Indiana (IC 25-22.5-2)**
 18 **is a board under IC 25-1-8.**

19 **Sec. 12. The mining board (IC 22-10-1.5-2) is a board under**
 20 **IC 25-1-8.**

21 **Sec. 13. The Indiana state board of nursing (IC 25-23-1) is a**
 22 **board under IC 25-1-8.**

23 **Sec. 14. The Indiana optometry board (IC 25-24) is a board**
 24 **under IC 25-1-8.**

25 **Sec. 15. The Indiana board of pharmacy (IC 25-26) is a board**
 26 **under IC 25-1-8.**

27 **Sec. 16. The Indiana plumbing commission (IC 25-28.5-1-3) is**
 28 **a board under IC 25-1-8.**

29 **Sec. 17. The state psychology board (IC 25-33) is a board under**
 30 **IC 25-1-8.**

31 **Sec. 18. The speech-language pathology and audiology board**
 32 **(IC 25-35.6-2) is a board under IC 25-1-8.**

33 **Sec. 19. The Indiana real estate commission (IC 25-34.1-2-1) is**
 34 **a board under IC 25-1-8.**

35 **Sec. 20. The Indiana board of veterinary medical examiners**
 36 **(IC 25-38.1-2-1) is a board under IC 25-1-8.**

37 **Sec. 21. The department of insurance (IC 27-1) is a board under**
 38 **IC 25-1-8.**

39 **Sec. 22. For purposes of certifying polygraph examiners under**
 40 **IC 25-30-2, the state police department (IC 10-11-2-4) is a board**
 41 **under IC 25-1-8.**

42 **Sec. 23. For purposes of licensing water well drillers under**



- 1 IC 25-39-3, the department of natural resources is a board under
2 IC 25-1-8.
- 3 Sec. 24. The private investigator and security guard licensing
4 board (IC 25-30-1-5.2) is a board under IC 25-1-8.
- 5 Sec. 25. The occupational therapy committee (IC 25-23.5-2-1) is
6 a board under IC 25-1-8.
- 7 Sec. 26. The behavioral health and human services licensing
8 board (IC 25-23.6-2-1) is a board under IC 25-1-8.
- 9 Sec. 27. The real estate appraiser licensure and certification
10 board (IC 25-34.1-8) is a board under IC 25-1-8.
- 11 Sec. 28. The state board of registration for professional
12 surveyors (IC 25-21.5-2-1) is a board under IC 25-1-8.
- 13 Sec. 29. The physician assistant committee (IC 25-27.5) is a
14 board under IC 25-1-8.
- 15 Sec. 30. The Indiana athletic trainers board (IC 25-5.1-2-1) is a
16 board under IC 25-1-8.
- 17 Sec. 31. The board of podiatric medicine (IC 25-29-2-1) is a
18 board under IC 25-1-8.
- 19 Sec. 32. The Indiana dietitians certification board
20 (IC 25-14.5-2-1) is a board under IC 25-1-8.
- 21 Sec. 33. The Indiana physical therapy committee (IC 25-27) is
22 a board under IC 25-1-8.
- 23 Sec. 34. The manufactured home installer licensing board
24 (IC 25-23.7) is a board under IC 25-1-8.
- 25 Sec. 35. The home inspectors licensing board (IC 25-20.2-3-1) is
26 a board under IC 25-1-8.
- 27 Sec. 36. The state board of massage therapy (IC 25-21.8-2-1) is
28 a board under IC 25-1-8.
- 29 Sec. 37. Any other occupational or professional agency created
30 after June 30, 1981, is a board under IC 25-1-8.
- 31 Chapter 10. "Board" as Used in IC 25-1-8-6
- 32 Sec. 1. As used in IC 25-1-8-6, "board" means any of the entities
33 described in this chapter.
- 34 Sec. 2. The Indiana board of accountancy (IC 25-2.1-2-1) is a
35 board under IC 25-1-8-6.
- 36 Sec. 3. The board of registration for architects and landscape
37 architects (IC 25-4-1-2) is a board under IC 25-1-8-6.
- 38 Sec. 4. The Indiana athletic trainers board (IC 25-5.1-2-1) is a
39 board under IC 25-1-8-6.
- 40 Sec. 5. The Indiana auctioneer commission (IC 25-6.1-2-1) is a
41 board under IC 25-1-8-6.
- 42 Sec. 6. The board of chiropractic examiners (IC 25-10-1) is a



- 1 board under IC 25-1-8-6.
- 2 Sec. 7. The state board of cosmetology and barber examiners
3 (IC 25-8-3-1) is a board under IC 25-1-8-6.
- 4 Sec. 8. The state board of dentistry (IC 25-14-1) is a board
5 under IC 25-1-8-6.
- 6 Sec. 9. The Indiana dietitians certification board
7 (IC 25-14.5-2-1) is a board under IC 25-1-8-6.
- 8 Sec. 10. The state board of registration for professional
9 engineers (IC 25-31-1-3) is a board under IC 25-1-8-6.
- 10 Sec. 11. The state board of funeral and cemetery service
11 (IC 25-15-9) is a board under IC 25-1-8-6.
- 12 Sec. 12. The Indiana state board of health facility
13 administrators (IC 25-19-1) is a board under IC 25-1-8-6.
- 14 Sec. 13. The committee of hearing aid dealer examiners
15 (IC 25-20-1-1.5) is a board under IC 25-1-8-6.
- 16 Sec. 14. The home inspectors licensing board (IC 25-20.2-3-1) is
17 a board under IC 25-1-8-6.
- 18 Sec. 15. The state board of registration for professional
19 surveyors (IC 25-21.5-2-1) is a board under IC 25-1-8-6.
- 20 Sec. 16. The manufactured home installer licensing board
21 (IC 25-23.7) is a board under IC 25-1-8-6.
- 22 Sec. 17. The medical licensing board of Indiana (IC 25-22.5-2)
23 is a board under IC 25-1-8-6.
- 24 Sec. 18. The Indiana state board of nursing (IC 25-23-1) is a
25 board under IC 25-1-8-6.
- 26 Sec. 19. The occupational therapy committee (IC 25-23.5) is a
27 board under IC 25-1-8-6.
- 28 Sec. 20. The Indiana optometry board (IC 25-24) is a board
29 under IC 25-1-8-6.
- 30 Sec. 21. The Indiana board of pharmacy (IC 25-26) is a board
31 under IC 25-1-8-6.
- 32 Sec. 22. The Indiana physical therapy committee (IC 25-27) is
33 a board under IC 25-1-8-6.
- 34 Sec. 23. The physician assistant committee (IC 25-27.5) is a
35 board under IC 25-1-8-6.
- 36 Sec. 24. The Indiana plumbing commission (IC 25-28.5-1-3) is
37 a board under IC 25-1-8-6.
- 38 Sec. 25. The board of podiatric medicine (IC 25-29-2-1) is a
39 board under IC 25-1-8-6.
- 40 Sec. 26. The private investigator and security guard licensing
41 board (IC 25-30-1-5.2) is a board under IC 25-1-8-6.
- 42 Sec. 27. The state psychology board (IC 25-33) is a board under



- 1 **IC 25-1-8-6.**
- 2 **Sec. 28. The Indiana real estate commission (IC 25-34.1-2) is a**
3 **board under IC 25-1-8-6.**
- 4 **Sec. 29. The real estate appraiser licensure and certification**
5 **board (IC 25-34.1-8) is a board under IC 25-1-8-6.**
- 6 **Sec. 30. The respiratory care committee (IC 25-34.5) is a board**
7 **under IC 25-1-8-6.**
- 8 **Sec. 31. The behavioral health and human services licensing**
9 **board (IC 25-23.6) is a board under IC 25-1-8-6.**
- 10 **Sec. 32. The speech-language pathology and audiology board**
11 **(IC 25-35.6-2) is a board under IC 25-1-8-6.**
- 12 **Sec. 33. The Indiana board of veterinary medical examiners**
13 **(IC 25-38.1) is a board under IC 25-1-8-6.**
- 14 **Sec. 34. The state board of massage therapy (IC 25-21.8-2-1) is**
15 **a board under IC 25-1-8-6.**
- 16 **Chapter 11. "Board" as Used in IC 25-1-9**
- 17 **Sec. 1. As used in IC 25-1-9, "board" means any of the entities**
18 **described in this chapter.**
- 19 **Sec. 2. The board of chiropractic examiners (IC 25-10-1) is a**
20 **board under IC 25-1-9.**
- 21 **Sec. 3. The state board of dentistry (IC 25-14-1) is a board**
22 **under IC 25-1-9.**
- 23 **Sec. 4. The Indiana state board of health facility administrators**
24 **(IC 25-19-1) is a board under IC 25-1-9.**
- 25 **Sec. 5. The medical licensing board of Indiana (IC 25-22.5-2) is**
26 **a board under IC 25-1-9.**
- 27 **Sec. 6. The Indiana state board of nursing (IC 25-23-1) is a**
28 **board under IC 25-1-9.**
- 29 **Sec. 7. The Indiana optometry board (IC 25-24) is a board**
30 **under IC 25-1-9.**
- 31 **Sec. 8. The Indiana board of pharmacy (IC 25-26) is a board**
32 **under IC 25-1-9.**
- 33 **Sec. 9. The board of podiatric medicine (IC 25-29-2-1) is a board**
34 **under IC 25-1-9.**
- 35 **Sec. 10. The speech-language pathology and audiology board**
36 **(IC 25-35.6-2) is a board under IC 25-1-9.**
- 37 **Sec. 11. The state psychology board (IC 25-33) is a board under**
38 **IC 25-1-9.**
- 39 **Sec. 12. The Indiana board of veterinary medical examiners**
40 **(IC 25-38.1-2) is a board under IC 25-1-9.**
- 41 **Sec. 13. The Indiana physical therapy committee (IC 25-27-1) is**
42 **a board under IC 25-1-9.**



1 **Sec. 14. The respiratory care committee (IC 25-34.5) is a board**
 2 **under IC 25-1-9.**

3 **Sec. 15. The occupational therapy committee (IC 25-23.5) is a**
 4 **board under IC 25-1-9.**

5 **Sec. 16. The behavioral health and human services licensing**
 6 **board (IC 25-23.6) is a board under IC 25-1-9.**

7 **Sec. 17. The physician assistant committee (IC 25-27.5) is a**
 8 **board under IC 25-1-9.**

9 **Sec. 18. The Indiana athletic trainers board (IC 25-5.1-2-1) is a**
 10 **board under IC 25-1-9.**

11 **Sec. 19. The Indiana dietitians certification board**
 12 **(IC 25-14.5-2-1) is a board under IC 25-1-9.**

13 **Chapter 12. "Board" as Used in IC 25-1-11**

14 **Sec. 1. As used in IC 25-1-11, "board" means any of the entities**
 15 **described in this chapter.**

16 **Sec. 2. The Indiana board of accountancy (IC 25-2.1-2-1) is a**
 17 **board under IC 25-1-11.**

18 **Sec. 3. The board of registration for architects and landscape**
 19 **architects (IC 25-4-1-2) is a board under IC 25-1-11.**

20 **Sec. 4. The Indiana auctioneer commission (IC 25-6.1-2) is a**
 21 **board under IC 25-1-11.**

22 **Sec. 5. The state board of cosmetology and barber examiners**
 23 **(IC 25-8-3-1) is a board under IC 25-1-11.**

24 **Sec. 6. The state board of registration for professional surveyors**
 25 **(IC 25-21.5-2-1) is a board under IC 25-1-11.**

26 **Sec. 7. The state board of funeral and cemetery service**
 27 **(IC 25-15-9) is a board under IC 25-1-11.**

28 **Sec. 8. The state board of registration for professional engineers**
 29 **(IC 25-31-1-3) is a board under IC 25-1-11.**

30 **Sec. 9. The Indiana plumbing commission (IC 25-28.5-1-3) is a**
 31 **board under IC 25-1-11.**

32 **Sec. 10. The Indiana real estate commission (IC 25-34.1-2-1) is**
 33 **a board under IC 25-1-11.**

34 **Sec. 11. The real estate appraiser licensure and certification**
 35 **board (IC 25-34.1-8) is a board under IC 25-1-11.**

36 **Sec. 12. The private investigator and security guard licensing**
 37 **board (IC 25-30-1-5.2) is a board under IC 25-1-11.**

38 **Sec. 13. The manufactured home installer licensing board**
 39 **(IC 25-23.7) is a board under IC 25-1-11.**

40 **Sec. 14. The home inspectors licensing board (IC 25-20.2-3-1) is**
 41 **a board under IC 25-1-11.**

42 **Sec. 15. The state board of massage therapy (IC 25-21.8-2-1) is**



1 **a board under IC 25-1-11.**

2 SECTION 6. IC 25-1-1.1-4, AS AMENDED BY P.L.232-2013,
 3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2014]: Sec. 4. (a) This section applies to an individual who is
 5 applying for, or will be applying for, an initial license or an initial
 6 certificate under one (1) of the following: **occupations or professions**
 7 **described in IC 25-0.5-1.**

8 (1) IC 25-2.5 (acupuncturists):

9 (2) IC 25-10 (chiropractors):

10 (3) IC 25-13 (dental hygienists):

11 (4) IC 25-14 (dentists):

12 (5) IC 25-14.5 (dietitians):

13 (6) IC 25-17.3 (genetic counselors):

14 (7) IC 25-19 (health facility and residential care facility
 15 administrators):

16 (8) IC 25-21.8 (massage therapists):

17 (9) IC 25-22.5 (physicians):

18 (10) IC 25-23 (nurses):

19 (11) IC 25-23.4 (certified direct entry midwives):

20 (12) IC 25-23.5 (occupational therapists):

21 (13) IC 25-23.6 (social workers, marriage and family therapists,
 22 and counselors):

23 (14) IC 25-24 (optometrists):

24 (15) IC 25-26 (pharmacists):

25 (16) IC 25-27 (physical therapists):

26 (17) IC 25-27.5 (physician assistants):

27 (18) IC 25-29 (podiatrists):

28 (19) IC 25-33 (psychologists):

29 (20) IC 25-34.5 (respiratory care practitioners):

30 (21) IC 25-35.6 (speech pathologists and audiologists):

31 (22) IC 25-38.1 (veterinarians):

32 (b) As used in this chapter, "national criminal history background
 33 check" means the criminal history record system maintained by the
 34 Federal Bureau of Investigation based on fingerprint identification or
 35 any other method of positive identification.

36 (c) An individual applying for an initial license or initial certificate
 37 specified in subsection (a) shall submit to a national criminal history
 38 background check at the cost of the individual.

39 (d) The state police department shall release the results of a national
 40 criminal history background check conducted under this section to the
 41 Indiana professional licensing agency.

42 (e) A board, a commission, or a committee may conduct a random



1 audit and require an individual seeking a renewal of a license or a
 2 certificate specified in subsection (a) to submit to a national criminal
 3 history background check at the cost of the individual.

4 SECTION 7. IC 25-1-2-2.1, AS AMENDED BY P.L.232-2013,
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 2.1. Rather than being issued annually, the
 7 following permits, licenses, certificates of registration, or evidences of
 8 authority granted by a state agency **and described in IC 25-0.5-2** must
 9 be issued for a period of two (2) years or for the period specified in the
 10 article under which the permit, license, certificate of registration, or
 11 evidence of authority is issued if the period specified in the article is
 12 longer than two (2) years.

13 (1) Certified public accountants; public accountants; and
 14 accounting practitioners:

15 (2) Architects and landscape architects:

16 (3) Dry cleaners:

17 (4) Professional engineers:

18 (5) Professional surveyors:

19 (6) Real estate brokers:

20 (7) Real estate agents:

21 (8) Security dealers' licenses issued by the securities
 22 commissioner:

23 (9) Dental hygienists:

24 (10) Dentists:

25 (11) Veterinarians:

26 (12) Physicians:

27 (13) Chiropractors:

28 (14) Physical therapists:

29 (15) Optometrists:

30 (16) Pharmacists and assistants; drugstores or pharmacies:

31 (17) Motels and mobile home community licenses:

32 (18) Nurses:

33 (19) Podiatrists:

34 (20) Occupational therapists and occupational therapy assistants:

35 (21) Respiratory care practitioners:

36 (22) Social workers; marriage and family therapists; and mental
 37 health counselors:

38 (23) Real estate appraiser licenses and certificates issued by the
 39 real estate appraiser licensure and certification board:

40 (24) Wholesale legend drug distributors:

41 (25) Physician assistants:

42 (26) Dietitians:



- 1 (27) Athlete agents:
 2 (28) Manufactured home installers:
 3 (29) Home inspectors:
 4 (30) Massage therapists:
 5 (31) Interior designers:
 6 (32) Genetic counselors:
 7 (33) Direct entry midwives:
- 8 SECTION 8. IC 25-1-2-6, AS AMENDED BY P.L.232-2013,
 9 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2014]: Sec. 6. (a) As used in this section, "license" includes
 11 all occupational and professional licenses, registrations, permits, and
 12 certificates issued under the Indiana Code, and "licensee" includes all
 13 occupational and professional licensees, registrants, permittees, and
 14 certificate holders regulated under the Indiana Code.
- 15 (b) This section applies to the following entities **described in**
 16 **IC 25-0.5-3** that regulate occupations or professions under the Indiana
 17 Code.
- 18 (1) Indiana board of accountancy:
 19 (2) Indiana grain buyers and warehouse licensing agency:
 20 (3) Indiana auctioneer commission:
 21 (4) Board of registration for architects and landscape architects:
 22 (5) State board of cosmetology and barber examiners:
 23 (6) Medical licensing board of Indiana:
 24 (7) Secretary of state:
 25 (8) State board of dentistry:
 26 (9) State board of funeral and cemetery service:
 27 (10) Worker's compensation board of Indiana:
 28 (11) Indiana state board of health facility administrators:
 29 (12) Committee of hearing aid dealer examiners:
 30 (13) Indiana state board of nursing:
 31 (14) Indiana optometry board:
 32 (15) Indiana board of pharmacy:
 33 (16) Indiana plumbing commission:
 34 (17) Board of podiatric medicine:
 35 (18) Private investigator and security guard licensing board:
 36 (19) State board of registration for professional engineers:
 37 (20) State psychology board:
 38 (21) Indiana real estate commission:
 39 (22) Speech-language pathology and audiology board:
 40 (23) Department of natural resources:
 41 (24) Board of chiropractic examiners:
 42 (25) Mining board:



- 1 (26) Indiana board of veterinary medical examiners:
 2 (27) State department of health:
 3 (28) Indiana physical therapy committee:
 4 (29) Respiratory care committee:
 5 (30) Occupational therapy committee:
 6 (31) Behavioral health and human services licensing board:
 7 (32) Real estate appraiser licensure and certification board:
 8 (33) State board of registration for professional surveyors:
 9 (34) Physician assistant committee:
 10 (35) Indiana dietitians certification board:
 11 (36) Attorney general (only for the regulation of athlete agents):
 12 (37) Manufactured home installer licensing board:
 13 (38) Home inspectors licensing board:
 14 (39) State board of massage therapy:
 15 (40) Midwifery committee:
 16 (41) Any other occupational or professional agency created after
 17 June 30, 1981.

18 (c) Notwithstanding any other law, the entities ~~included~~ **referenced**
 19 in subsection (b) shall send a notice of the upcoming expiration of a
 20 license to each licensee at least sixty (60) days prior to the expiration
 21 of the license. The notice must inform the licensee of the need to renew
 22 and the requirement of payment of the renewal fee. If this notice of
 23 expiration is not sent by the entity, the licensee is not subject to a
 24 sanction for failure to renew if, once notice is received from the entity,
 25 the license is renewed within forty-five (45) days of the receipt of the
 26 notice.

27 (d) Notwithstanding any other law, the entities ~~included~~ **referenced**
 28 in subsection (b) shall send notice of the expiration of a license to each
 29 individual whose license has expired within thirty (30) days following
 30 the expiration of the license. The notice must meet the following
 31 requirements:

- 32 (1) Inform the individual of the following:
 33 (A) That the individual's license has expired.
 34 (B) Any requirements that must be met before reinstatement
 35 of a license may occur.
 36 (2) Be sent electronically. However, if the entity does not have an
 37 electronic mail address on record for the individual, the notice
 38 must be sent via United States mail.

39 SECTION 9. IC 25-1-4-0.3, AS AMENDED BY P.L.57-2013,
 40 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2014]: Sec. 0.3. As used in this chapter, "board" means any of
 42 the following: **entities described in IC 25-0.5-4.**



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



1 SECTION 10. IC 25-1-5-2, AS AMENDED BY P.L.206-2005,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2014]: Sec. 2. **As used in The following terms are defined**
 4 **for this chapter:**

5 (1) "Agency" means the Indiana professional licensing agency
 6 established by section 3 of this chapter.

7 (2) "Board" means any agency, board, advisory committee, or
 8 group **included described** in section 3 of this chapter.
 9 **IC 25-0.5-5.**

10 SECTION 11. IC 25-1-5-3, AS AMENDED BY P.L.232-2013,
 11 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2014]: Sec. 3. (a) There is established the Indiana professional
 13 licensing agency. The agency shall perform all administrative
 14 functions, duties, and responsibilities assigned by law or rule to the
 15 executive director, secretary, or other statutory administrator of the
 16 following: **entities described in IC 25-0.5-5.**

17 (1) Board of chiropractic examiners (IC 25-10-1):

18 (2) State board of dentistry (IC 25-14-1):

19 (3) Indiana state board of health facility administrators
 20 (IC 25-19-1):

21 (4) Medical licensing board of Indiana (IC 25-22.5-2):

22 (5) Indiana state board of nursing (IC 25-23-1):

23 (6) Indiana optometry board (IC 25-24):

24 (7) Indiana board of pharmacy (IC 25-26):

25 (8) Board of podiatric medicine (IC 25-29-2-1):

26 (9) Speech-language pathology and audiology board
 27 (IC 25-35.6-2):

28 (10) State psychology board (IC 25-33):

29 (11) Indiana board of veterinary medical examiners
 30 (IC 25-38.1-2):

31 (12) Committee of hearing aid dealer examiners (IC 25-20):

32 (13) Indiana physical therapy committee (IC 25-27):

33 (14) Respiratory care committee (IC 25-34.5):

34 (15) Occupational therapy committee (IC 25-23.5):

35 (16) Behavioral health and human services licensing board
 36 (IC 25-23.6):

37 (17) Physician assistant committee (IC 25-27.5):

38 (18) Indiana athletic trainers board (IC 25-5.1-2-1):

39 (19) Indiana dietitians certification board (IC 25-14.5-2-1):

40 (20) Midwifery committee (IC 25-23.4-2-1):

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



1 SECTION 12. IC 25-1-5-4, AS AMENDED BY P.L.177-2009,
 2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2014]: Sec. 4. (a) The agency shall employ necessary staff,
 4 including specialists and professionals, to carry out the administrative
 5 duties and functions of the boards, including but not limited to:

- 6 (1) notice of board meetings and other communication services;
- 7 (2) recordkeeping of board meetings, proceedings, and actions;
- 8 (3) recordkeeping of all persons licensed, regulated, or certified
 9 by a board;
- 10 (4) administration of examinations; and
- 11 (5) administration of license or certificate issuance or renewal.

12 (b) In addition, the agency:

- 13 (1) shall prepare a consolidated statement of the budget requests
 14 of all the boards **described in section 3 of this chapter;**
 15 **IC 25-0.5-5;**
- 16 (2) may coordinate licensing or certification renewal cycles,
 17 examination schedules, or other routine activities to efficiently
 18 utilize agency staff, facilities, and transportation resources, and to
 19 improve accessibility of board functions to the public;
- 20 (3) may consolidate, where feasible, office space, recordkeeping,
 21 and data processing services; and
- 22 (4) shall operate and maintain the electronic registry of
 23 professions established under IC 25-1-5.5.

24 (c) In administering the renewal of licenses or certificates under this
 25 chapter, the agency shall send a notice of the upcoming expiration of
 26 a license or certificate to each holder of a license or certificate at least
 27 sixty (60) days before the expiration of the license or certificate. The
 28 notice must inform the holder of the license or certificate of the need
 29 to renew and the requirement of payment of the renewal fee. If this
 30 notice of expiration is not sent by the agency, the holder of the license
 31 or certificate is not subject to a sanction for failure to renew if, once
 32 notice is received from the agency, the license or certificate is renewed
 33 within forty-five (45) days after receipt of the notice.

34 (d) In administering an examination for licensure or certification,
 35 the agency shall make the appropriate application forms available at
 36 least thirty (30) days before the deadline for submitting an application
 37 to all persons wishing to take the examination.

38 (e) The agency may require an applicant for license renewal to
 39 submit evidence proving that:

- 40 (1) the applicant continues to meet the minimum requirements for
 41 licensure; and
- 42 (2) the applicant is not in violation of:



- 1 (A) the statute regulating the applicant's profession; or
 2 (B) rules adopted by the board regulating the applicant's
 3 profession.

4 (f) The agency shall process an application for renewal of a license
 5 or certificate:

- 6 (1) not later than ten (10) days after the agency receives all
 7 required forms and evidence; or
 8 (2) within twenty-four (24) hours after the time that an applicant
 9 for renewal appears in person at the agency with all required
 10 forms and evidence.

11 This subsection does not require the agency to issue a renewal license
 12 or certificate to an applicant if subsection (g) applies.

13 (g) The agency may delay issuing a license renewal for up to ninety
 14 (90) days after the renewal date for the purpose of permitting the board
 15 to investigate information received by the agency that the applicant for
 16 renewal may have committed an act for which the applicant may be
 17 disciplined. If the agency delays issuing a license renewal, the agency
 18 shall notify the applicant that the applicant is being investigated.
 19 Except as provided in subsection (h), before the end of the ninety (90)
 20 day period, the board shall do one (1) of the following:

- 21 (1) Deny the license renewal following a personal appearance by
 22 the applicant before the board.
 23 (2) Issue the license renewal upon satisfaction of all other
 24 conditions for renewal.
 25 (3) Issue the license renewal and file a complaint under IC 25-1-7.
 26 (4) Request the office of the attorney general to conduct an
 27 investigation under subsection (i) if, following a personal
 28 appearance by the applicant before the board, the board has good
 29 cause to believe that there has been a violation of IC 25-1-9-4 by
 30 the applicant.
 31 (5) Upon agreement of the applicant and the board and following
 32 a personal appearance by the applicant before the board, renew
 33 the license and place the applicant on probation status under
 34 IC 25-1-9-9.

35 (h) If an individual fails to appear before the board under subsection
 36 (g), the board may take action on the applicant's license allowed under
 37 subsection (g)(1), (g)(2), or (g)(3).

38 (i) If the board makes a request under subsection (g)(4), the office
 39 of the attorney general shall conduct an investigation. Upon completion
 40 of the investigation, the office of the attorney general may file a
 41 petition alleging that the applicant has engaged in activity described in
 42 IC 25-1-9-4. If the office of the attorney general files a petition, the



1 board shall set the matter for a hearing. If, after the hearing, the board
 2 finds the practitioner violated IC 25-1-9-4, the board may impose
 3 sanctions under IC 25-1-9-9. The board may delay issuing the renewal
 4 beyond the ninety (90) days after the renewal date until a final
 5 determination is made by the board. The applicant's license remains
 6 valid until the final determination of the board is rendered unless the
 7 renewal is denied or the license is summarily suspended under
 8 IC 25-1-9-10.

9 (j) The license of the applicant for a license renewal remains valid
 10 during the ninety (90) day period unless the license renewal is denied
 11 following a personal appearance by the applicant before the board
 12 before the end of the ninety (90) day period. If the ninety (90) day
 13 period expires without action by the board, the license shall be
 14 automatically renewed at the end of the ninety (90) day period.

15 (k) Notwithstanding any other statute, the agency may stagger
 16 license or certificate renewal cycles. However, if a renewal cycle for a
 17 specific board or committee is changed, the agency must obtain the
 18 approval of the affected board or committee.

19 (l) An application for a license, certificate, registration, or permit is
 20 abandoned without an action of the board, if the applicant does not
 21 complete the requirements to complete the application within one (1)
 22 year after the date on which the application was filed. However, the
 23 board may, for good cause shown, extend the validity of the application
 24 for additional thirty (30) day periods. An application submitted after
 25 the abandonment of an application is considered a new application.

26 SECTION 13. IC 25-1-5-5, AS AMENDED BY P.L.6-2012,
 27 SECTION 169, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) The agency shall be
 29 administered by an executive director appointed by the governor who
 30 shall serve at the will and pleasure of the governor.

31 (b) The executive director must be qualified by experience and
 32 training.

33 (c) The term "executive director" or "secretary", or any other
 34 statutory term for the administrative officer of a board ~~listed~~ **described**
 35 in ~~section 3 of this chapter~~, **IC 25-0.5-5**, means the executive director
 36 of the agency or the executive director's designee.

37 (d) The executive director is the chief fiscal officer of the agency
 38 and is responsible for hiring of all staff, and for procurement of all
 39 services and supplies in accordance with IC 5-22. The executive
 40 director may appoint not more than three (3) deputy directors, who
 41 must be qualified to work for the boards which are served by the
 42 agency.



1 (e) The executive director shall execute a bond payable to the state,
 2 with surety to consist of a surety or guaranty corporation qualified to do
 3 business in Indiana, in an amount fixed by the state board of accounts,
 4 conditioned upon the faithful performance of duties and the accounting
 5 for all money and property that come into the executive director's hands
 6 or under the executive director's control. The executive director may
 7 likewise cause any employee of the agency to execute a bond if that
 8 employee receives, disburses, or in any way handles funds or property
 9 of the agency. The costs of any such bonds shall be paid from funds
 10 available to the agency.

11 (f) The executive director may present to the general assembly
 12 legislative recommendations regarding operations of the agency and
 13 the boards it serves, including adoption of four (4) year license or
 14 certificate renewal cycles wherever feasible.

15 (g) The executive director may execute orders, subpoenas,
 16 continuances, and other legal documents on behalf of a board or
 17 committee when requested to do so by the board or committee.

18 (h) The executive director or the executive director's designee may,
 19 upon request of a board or committee, provide advice and technical
 20 assistance on issues that may be presented to the boards or committees.

21 SECTION 14. IC 25-1-5-10, AS AMENDED BY P.L.232-2013,
 22 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2014]: Sec. 10. (a) As used in this section, "provider" means
 24 an individual licensed, certified, registered, or permitted by any of the
 25 following: **entities described in IC 25-0.5-6.**

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

27 (2) State board of dentistry (IC 25-14-1).

28 (3) Indiana state board of health facility administrators
 29 (IC 25-19-1).

30 (4) Medical licensing board of Indiana (IC 25-22.5-2).

31 (5) Indiana state board of nursing (IC 25-23-1).

32 (6) Indiana optometry board (IC 25-24).

33 (7) Indiana board of pharmacy (IC 25-26).

34 (8) Board of podiatric medicine (IC 25-29-2-1).

35 (9) Speech-language pathology and audiology board
 36 (IC 25-35.6-2).

37 (10) State psychology board (IC 25-33).

38 (11) Indiana board of veterinary medical examiners
 39 (IC 25-38.1-2).

40 (12) Indiana physical therapy committee (IC 25-27).

41 (13) Respiratory care committee (IC 25-34.5).

42 (14) Occupational therapy committee (IC 25-23.5).



- 1 (15) Behavioral health and human services licensing board
 2 (IC 25-23.6);
 3 (16) Physician assistant committee (IC 25-27.5);
 4 (17) Indiana athletic trainers board (IC 25-5.1-2-1);
 5 (18) Indiana dietitians certification board (IC 25-14.5-2-1);
 6 (19) Midwifery committee (IC 25-23.4-2-1);
 7 (b) The agency shall create and maintain a provider profile for each
 8 provider described in subsection (a).
 9 (c) A provider profile must contain the following information:
 10 (1) The provider's name.
 11 (2) The provider's license, certification, registration, or permit
 12 number.
 13 (3) The provider's license, certification, registration, or permit
 14 type.
 15 (4) The date the provider's license, certification, registration, or
 16 permit was issued.
 17 (5) The date the provider's license, certification, registration, or
 18 permit expires.
 19 (6) The current status of the provider's license, certification,
 20 registration, or permit.
 21 (7) The provider's city and state of record.
 22 (8) A statement of any disciplinary action taken against the
 23 provider within the previous ten (10) years by a ~~board or~~
 24 ~~committee an entity~~ described in ~~subsection (a): IC 25-0.5-6.~~
 25 (d) The agency shall make provider profiles available to the public.
 26 (e) The computer gateway administered by the office of technology
 27 established by IC 4-13.1-2-1 shall make the information described in
 28 subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally
 29 available to the public on the Internet.
 30 (f) The agency may adopt rules under IC 4-22-2 to implement this
 31 section.
 32 SECTION 15. IC 25-1-6-2, AS AMENDED BY P.L.206-2005,
 33 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2014]: Sec. 2. ~~As used in~~ **The following terms are defined**
 35 **for this chapter:**
 36 (1) "Board" means any agency, board, advisory committee, or
 37 group ~~included described~~ in ~~section 3 of this chapter:~~
 38 **IC 25-0.5-7.**
 39 (2) "Licensing agency" means the Indiana professional licensing
 40 agency created by IC 25-1-5-3.
 41 SECTION 16. IC 25-1-6-3, AS AMENDED BY P.L.57-2013,
 42 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2014]: Sec. 3. (a) The licensing agency shall perform all
 2 administrative functions, duties, and responsibilities assigned by law
 3 or rule to the executive director, secretary, or other statutory
 4 administrator of the following: **entities described in IC 25-0.5-7.**

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

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

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

9 (4) State board of cosmetology and barber examiners
 10 (IC 25-8-3-1).

11 (5) State board of funeral and cemetery service (IC 25-15-9).

12 (6) State board of registration for professional engineers
 13 (IC 25-31-1-3).

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

15 (8) Indiana real estate commission (IC 25-34.1).

16 (9) Real estate appraiser licensure and certification board
 17 (IC 25-34.1-8-1).

18 (10) Private investigator and security guard licensing board
 19 (IC 25-30-1-5.2).

20 (11) State board of registration for professional surveyors
 21 (IC 25-21.5-2-1).

22 (12) Manufactured home installer licensing board (IC 25-23.7).

23 (13) Home inspectors licensing board (IC 25-20.2-3-1).

24 (14) State board of massage therapy (IC 25-21.8-2-1).

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

27 SECTION 17. IC 25-1-6-4, AS AMENDED BY P.L.194-2005,
 28 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2014]: Sec. 4. (a) The licensing agency shall employ
 30 necessary staff, including specialists and professionals, to carry out the
 31 administrative duties and functions of the boards, including but not
 32 limited to:

33 (1) notice of board meetings and other communication services;

34 (2) record keeping of board meetings, proceedings, and actions;

35 (3) record keeping of all persons or individuals licensed,
 36 regulated, or certified by a board;

37 (4) administration of examinations; and

38 (5) administration of license or certificate issuance or renewal.

39 (b) In addition, the licensing agency:

40 (1) shall prepare a consolidated statement of the budget requests
 41 of all the boards **described in section 3 of this chapter;**
 42 **IC 25-0.5-7;**



- 1 (2) may coordinate licensing or certification renewal cycles,
 2 examination schedules, or other routine activities to efficiently
 3 utilize licensing agency staff, facilities, and transportation
 4 resources, and to improve accessibility of board functions to the
 5 public; and
 6 (3) may consolidate, where feasible, office space, record keeping,
 7 and data processing services.
- 8 (c) In administering the renewal of licenses or certificates under this
 9 chapter, the licensing agency shall issue a sixty (60) day notice of
 10 expiration to all holders of a license or certificate. The notice must
 11 inform the holder of a license or certificate of the requirements to:
 12 (1) renew the license or certificate; and
 13 (2) pay the renewal fee.
- 14 (d) If the licensing agency fails to send notice of expiration under
 15 subsection (c), the holder of the license or certificate is not subject to
 16 a sanction for failure to renew if the holder renews the license or
 17 certificate not more than forty-five (45) days after the holder receives
 18 the notice from the licensing agency.
- 19 (e) The licensing agency may require an applicant for a license or
 20 certificate renewal to submit evidence showing that the applicant:
 21 (1) meets the minimum requirements for licensure or
 22 certification; and
 23 (2) is not in violation of:
 24 (A) the law regulating the applicant's profession; or
 25 (B) rules adopted by the board regulating the applicant's
 26 profession.
- 27 (f) The licensing agency may delay renewing a license or certificate
 28 for not more than ninety (90) days after the renewal date to permit the
 29 board to investigate information received by the licensing agency that
 30 the applicant for renewal may have committed an act for which the
 31 applicant may be disciplined. If the licensing agency delays renewing
 32 a license or certificate, the licensing agency shall notify the applicant
 33 that the applicant is being investigated. Except as provided in
 34 subsection (g), the board shall do one (1) of the following before the
 35 expiration of the ninety (90) day period:
 36 (1) Deny renewal of the license or certificate following a personal
 37 appearance by the applicant before the board.
 38 (2) Renew the license or certificate upon satisfaction of all other
 39 requirements for renewal.
 40 (3) Renew the license and file a complaint under IC 25-1-7.
 41 (4) Request the office of the attorney general to conduct an
 42 investigation under subsection (h) if, following a personal



1 appearance by the applicant before the board, the board has good
 2 cause to believe that the applicant engaged in activity described
 3 in IC 25-1-11-5.

4 (5) Upon agreement of the applicant and the board and following
 5 a personal appearance by the applicant before the board, renew
 6 the license or certificate and place the applicant on probation
 7 status under IC 25-1-11-12.

8 (g) If an applicant fails to appear before the board under subsection
 9 (f), the board may take action as provided in subsection (f)(1), (f)(2),
 10 or (f)(3).

11 (h) If the board makes a request under subsection (f)(4), the office
 12 of the attorney general shall conduct an investigation. Upon completion
 13 of the investigation, the office of the attorney general may file a
 14 petition alleging that the applicant has engaged in activity described in
 15 IC 25-1-11-5. If the office of the attorney general files a petition, the
 16 board shall set the matter for a public hearing. If, after a public hearing,
 17 the board finds the applicant violated IC 25-1-11-5, the board may
 18 impose sanctions under IC 25-1-11-12. The board may delay renewing
 19 a license or certificate beyond ninety (90) days after the renewal date
 20 until a final determination is made by the board. The applicant's license
 21 or certificate remains valid until the final determination of the board is
 22 rendered unless the renewal is:

23 (1) denied; or

24 (2) summarily suspended under IC 25-1-11-13.

25 (i) The license or certificate of the applicant for license renewal
 26 remains valid during the ninety (90) day period unless the license or
 27 certificate is denied following a personal appearance by the applicant
 28 before the board before the end of the ninety (90) day period. If the
 29 ninety (90) day period expires without action by the board, the license
 30 or certificate shall be automatically renewed at the end of the ninety
 31 (90) day period.

32 (j) Notwithstanding any other law, the licensing agency may stagger
 33 license or certificate renewal cycles.

34 (k) An application for a license or certificate is abandoned without
 35 an action by the board if the applicant does not complete the
 36 requirements for obtaining the license or certificate not more than one
 37 (1) year after the date on which the application was filed. However, the
 38 board may, for good cause shown, extend the validity of the application
 39 for additional thirty (30) day periods. An application submitted after
 40 the abandonment of an application is considered a new application.

41 SECTION 18. IC 25-1-6-5, AS AMENDED BY P.L.6-2012,
 42 SECTION 170, IS AMENDED TO READ AS FOLLOWS

SB 31—LS 6037/DI 112



1 [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) The licensing agency shall be
 2 administered by an executive director appointed by the governor who
 3 shall serve at the will and pleasure of the governor.

4 (b) The executive director must be qualified by experience and
 5 training.

6 (c) The term "executive director" or "secretary", or any other
 7 statutory term for the administrative officer of a board ~~listed~~ **described**
 8 in ~~section 3 of this chapter, IC 25-0.5-7~~, means the executive director
 9 of the licensing agency or the executive director's designee.

10 (d) The executive director is the chief fiscal officer of the licensing
 11 agency and is responsible for hiring of all staff and for procurement of
 12 all services and supplies in accordance with IC 5-22. The executive
 13 director may appoint no more than three (3) deputy directors, who must
 14 be qualified to work for the boards which are served by the licensing
 15 agency.

16 (e) The executive director shall execute a bond payable to the state,
 17 with surety to consist of a surety or guaranty corporation qualified to do
 18 business in Indiana, in an amount fixed by the state board of accounts,
 19 conditioned upon the faithful performance of duties and the accounting
 20 for all money and property that come into the executive director's hands
 21 or under the executive director's control. The executive director may
 22 likewise cause any employee of the licensing agency to execute a bond
 23 if that employee receives, disburses, or in any way handles funds or
 24 property of the licensing agency. The costs of any such bonds shall be
 25 paid from funds available to the licensing agency.

26 (f) The executive director may present to the general assembly
 27 legislative recommendations regarding operations of the licensing
 28 agency and the boards it serves, including adoption of four (4) year
 29 license or certificate renewal cycles wherever feasible.

30 (g) Upon the request of a board or commission, the executive
 31 director may execute orders, subpoenas, continuances, and other legal
 32 documents on behalf of the board or commission.

33 (h) Upon the request of a board or commission, the executive
 34 director may provide advice and technical assistance on issues that may
 35 be presented to the board or commission.

36 SECTION 19. IC 25-1-6-5.5, AS AMENDED BY P.L.194-2005,
 37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2014]: Sec. 5.5. A person who has a license renewal denied
 39 by a board ~~listed~~ **described** in ~~section 3 of this chapter IC 25-0.5-7~~
 40 may file an appeal of the denial in accordance with IC 4-21.5-3.

41 SECTION 20. IC 25-1-7-1, AS AMENDED BY P.L.232-2013,
 42 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2014]: Sec. 1. ~~As used in~~ **The following terms are defined**
 2 **for** this chapter:

3 (1) "Board" means the appropriate ~~agency listed~~ **entity described**
 4 **in the definition of regulated occupation in this section:**
 5 **IC 25-0.5-8.**

6 (2) "Director" refers to the director of the division of consumer
 7 protection.

8 (3) "Division" refers to the division of consumer protection, office
 9 of the attorney general.

10 (4) "Licensee" means a person who is:

11 (1) (A) licensed, certified, or registered by a ~~board listed in~~
 12 **this section; an entity described in IC 25-0.5-8;** and

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

14 (5) "Person" means an individual, a partnership, a limited liability
 15 company, or a corporation.

16 (6) "Regulated occupation" means an occupation in which a
 17 person is licensed, certified, or registered by one (1) of the
 18 **following: entities described in IC 25-0.5-8.**

19 (1) Indiana board of accountancy (IC 25-2.1-2-1);

20 (2) Board of registration for architects and landscape architects
 21 (IC 25-4-1-2);

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

23 (4) Board of chiropractic examiners (IC 25-10-1);

24 (5) State board of cosmetology and barber examiners
 25 (IC 25-8-3-1);

26 (6) State board of dentistry (IC 25-14-1);

27 (7) State board of funeral and cemetery service (IC 25-15-9);

28 (8) State board of registration for professional engineers
 29 (IC 25-31-1-3);

30 (9) Indiana state board of health facility administrators
 31 (IC 25-19-1);

32 (10) Medical licensing board of Indiana (IC 25-22.5-2);

33 (11) Indiana state board of nursing (IC 25-23-1);

34 (12) Indiana optometry board (IC 25-24);

35 (13) Indiana board of pharmacy (IC 25-26);

36 (14) Indiana plumbing commission (IC 25-28.5-1-3);

37 (15) Board of podiatric medicine (IC 25-29-2-1);

38 (16) State psychology board (IC 25-33);

39 (17) Speech-language pathology and audiology board
 40 (IC 25-35.6-2);

41 (18) Indiana real estate commission (IC 25-34.1-2);

42 (19) Indiana board of veterinary medical examiners (IC 25-38.1);



- 1 (20) Department of natural resources for purposes of licensing
 2 water well drillers under IC 25-39-3.
 3 (21) Respiratory care committee (IC 25-34.5).
 4 (22) Private investigator and security guard licensing board
 5 (IC 25-30-1-5.2).
 6 (23) Occupational therapy committee (IC 25-23.5).
 7 (24) Behavioral health and human services licensing board
 8 (IC 25-23.6).
 9 (25) Real estate appraiser licensure and certification board
 10 (IC 25-34.1-8).
 11 (26) State board of registration for professional surveyors
 12 (IC 25-21.5-2-1).
 13 (27) Physician assistant committee (IC 25-27.5).
 14 (28) Indiana athletic trainers board (IC 25-5.1-2-1).
 15 (29) Indiana dietitians certification board (IC 25-14.5-2-1).
 16 (30) Indiana physical therapy committee (IC 25-27).
 17 (31) Manufactured home installer licensing board (IC 25-23.7).
 18 (32) Home inspectors licensing board (IC 25-20.2-3-1).
 19 (33) State department of health, for out-of-state mobile health
 20 care entities.
 21 (34) State board of massage therapy (IC 25-21.8-2-1).
 22 (35) Midwifery committee (IC 25-23.4-2-1).
 23 (36) Any other occupational or professional agency created after
 24 June 30, 1981.

25 SECTION 21. IC 25-1-7-4 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. All complaints must
 27 be written and signed by the complainant and initially filed with the
 28 director. Except for employees of the attorney general's office acting in
 29 their official capacity, a complaint may be filed by any person,
 30 including members of any of the boards listed in section † of this
 31 chapter: **entities described in IC 25-0.5-8.**

32 SECTION 22. IC 25-1-7-5, AS AMENDED BY P.L.226-2011,
 33 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2014]: Sec. 5. (a) Subsection (b)(1) does not apply to:

35 (1) a complaint filed by:

36 (A) a member of any of the boards listed in section † of this
 37 chapter; **entities described in IC 25-0.5-8**; or

38 (B) the Indiana professional licensing agency; or

39 (2) a complaint filed under IC 25-1-5-4.

40 (b) Except as provided in section 3(b) of this chapter, the director
 41 has the following duties and powers:

42 (1) The director shall make an initial determination as to the merit



1 of each complaint. A copy of a complaint having merit shall be
 2 submitted to the board having jurisdiction over the licensee's
 3 regulated occupation, that board thereby acquiring jurisdiction
 4 over the matter except as otherwise provided in this chapter.

5 (2) The director shall through any reasonable means notify the
 6 licensee of the nature and ramifications of the complaint and of
 7 the duty of the board to attempt to resolve the complaint through
 8 negotiation.

9 (3) The director shall report any pertinent information regarding
 10 the status of the complaint to the complainant.

11 (4) The director may investigate any written complaint against a
 12 licensee. The investigation shall be limited to those areas in which
 13 there appears to be a violation of statutes governing the regulated
 14 occupation.

15 (5) The director has the power to subpoena witnesses and to send
 16 for and compel the production of books, records, papers, and
 17 documents for the furtherance of any investigation under this
 18 chapter. The circuit or superior court located in the county where
 19 the subpoena is to be issued shall enforce any such subpoena by
 20 the director.

21 SECTION 23. IC 25-1-7-6, AS AMENDED BY P.L.206-2005,
 22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2014]: Sec. 6. (a) This section does not apply to:

24 (1) a complaint filed by:

25 (A) a member of any of the ~~boards listed in section 4 of this~~
 26 ~~chapter; entities described in IC 25-0.5-8; or~~

27 (B) the Indiana professional licensing agency; or

28 (2) a complaint filed under IC 25-1-5-4.

29 (b) If, at any time before the director files the director's
 30 recommendations with the attorney general, the board files with the
 31 director a statement signed by the licensee and the complainant that the
 32 complaint has been resolved, the director shall not take further action.
 33 For a period of thirty (30) days after the director has notified the board
 34 and the licensee that a complaint has been filed, the division shall not
 35 conduct any investigation or take any action whatsoever, unless
 36 requested by the board. If, during the thirty (30) days, the board
 37 requests an extension of the thirty (30) day ~~time~~ period, the director
 38 shall grant it for a period not exceeding an additional twenty (20) days.
 39 If at any time during the thirty (30) day period or an extension thereof,
 40 the board notifies the director of its intention not to proceed further to
 41 resolve the complaint, the division may proceed immediately under this
 42 chapter. For every purpose of this section, a board may designate a



- 1 board member or staff member to act on behalf of or in the name of the
2 board.
- 3 SECTION 24. IC 25-1-8-1, AS AMENDED BY P.L.57-2013,
4 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2014]: Sec. 1. As used in this chapter, "board" means any of
6 the following: **entities described in IC 25-0.5-9.**
- 7 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 - 8 (2) Board of registration for architects and landscape architects
9 (IC 25-4-1-2).
 - 10 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 - 11 (4) Board of chiropractic examiners (IC 25-10-1).
 - 12 (5) State board of cosmetology and barber examiners
13 (IC 25-8-3-1).
 - 14 (6) State board of dentistry (IC 25-14-1).
 - 15 (7) State board of funeral and cemetery service (IC 25-15).
 - 16 (8) State board of registration for professional engineers
17 (IC 25-31-1-3).
 - 18 (9) Indiana state board of health facility administrators
19 (IC 25-19-1).
 - 20 (10) Medical licensing board of Indiana (IC 25-22.5-2).
 - 21 (11) Mining board (IC 22-10-1.5-2).
 - 22 (12) Indiana state board of nursing (IC 25-23-1).
 - 23 (13) Indiana optometry board (IC 25-24).
 - 24 (14) Indiana board of pharmacy (IC 25-26).
 - 25 (15) Indiana plumbing commission (IC 25-28.5-1-3).
 - 26 (16) State psychology board (IC 25-33).
 - 27 (17) Speech-language pathology and audiology board
28 (IC 25-35.6-2).
 - 29 (18) Indiana real estate commission (IC 25-34.1-2-1).
 - 30 (19) Indiana board of veterinary medical examiners
31 (IC 25-38.1-2-1).
 - 32 (20) Department of insurance (IC 27-1).
 - 33 (21) State police department (IC 10-11-2-4); for purposes of
34 certifying polygraph examiners under IC 25-30-2.
 - 35 (22) Department of natural resources for purposes of licensing
36 water well drillers under IC 25-39-3.
 - 37 (23) Private investigator and security guard licensing board
38 (IC 25-30-1-5.2).
 - 39 (24) Occupational therapy committee (IC 25-23.5-2-1).
 - 40 (25) Behavioral health and human services licensing board
41 (IC 25-23.6-2-1).
 - 42 (26) Real estate appraiser licensure and certification board



- 1 (IC 25-34.1-8).
 2 (27) State board of registration for professional surveyors
 3 (IC 25-21.5-2-1).
 4 (28) Physician assistant committee (IC 25-27.5).
 5 (29) Indiana athletic trainers board (IC 25-5.1-2-1).
 6 (30) Board of podiatric medicine (IC 25-29-2-1).
 7 (31) Indiana dietitians certification board (IC 25-14.5-2-1).
 8 (32) Indiana physical therapy committee (IC 25-27).
 9 (33) Manufactured home installer licensing board (IC 25-23.7).
 10 (34) Home inspectors licensing board (IC 25-20.2-3-1).
 11 (35) State board of massage therapy (IC 25-21.8-2-1).
 12 (36) Any other occupational or professional agency created after
 13 June 30, 1981.
- 14 SECTION 25. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,
 15 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2014]: Sec. 6. (a) As used in this section, "board" means any
 17 of the following: **entities described in IC 25-0.5-10.**
- 18 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 19 (2) Board of registration for architects and landscape architects
 20 (IC 25-4-1-2).
 21 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 22 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 23 (5) Board of chiropractic examiners (IC 25-10-1).
 24 (6) State board of cosmetology and barber examiners
 25 (IC 25-8-3-1).
 26 (7) State board of dentistry (IC 25-14-1).
 27 (8) Indiana dietitians certification board (IC 25-14.5-2-1).
 28 (9) State board of registration for professional engineers
 29 (IC 25-31-1-3).
 30 (10) State board of funeral and cemetery service (IC 25-15-9).
 31 (11) Indiana state board of health facility administrators
 32 (IC 25-19-1).
 33 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
 34 (13) Home inspectors licensing board (IC 25-20.2-3-1).
 35 (14) State board of registration for land surveyors
 36 (IC 25-21.5-2-1).
 37 (15) Manufactured home installer licensing board (IC 25-23.7).
 38 (16) Medical licensing board of Indiana (IC 25-22.5-2).
 39 (17) Indiana state board of nursing (IC 25-23-1).
 40 (18) Occupational therapy committee (IC 25-23.5).
 41 (19) Indiana optometry board (IC 25-24).
 42 (20) Indiana board of pharmacy (IC 25-26).



- 1 (21) Indiana physical therapy committee (IC 25-27):
 2 (22) Physician assistant committee (IC 25-27.5):
 3 (23) Indiana plumbing commission (IC 25-28.5-1-3):
 4 (24) Board of podiatric medicine (IC 25-29-2-1):
 5 (25) Private investigator and security guard licensing board
 6 (IC 25-30-1-5.2):
 7 (26) State psychology board (IC 25-33):
 8 (27) Indiana real estate commission (IC 25-34.1-2):
 9 (28) Real estate appraiser licensure and certification board
 10 (IC 25-34.1-8):
 11 (29) Respiratory care committee (IC 25-34.5):
 12 (30) Behavioral health and human services licensing board
 13 (IC 25-23.6):
 14 (31) Speech-language pathology and audiology board
 15 (IC 25-35.6-2):
 16 (32) Indiana board of veterinary medical examiners (IC 25-38.1):
 17 (33) State board of massage therapy (IC 25-21.8-2-1):

18 (b) This section does not apply to a license, certificate, or
 19 registration that has been revoked or suspended.

20 (c) Notwithstanding any other law regarding the reinstatement of a
 21 delinquent or lapsed license, certificate, or registration and except as
 22 provided in section 8 of this chapter, the holder of a license, certificate,
 23 or registration that was issued by the board that is three (3) years or less
 24 delinquent must be reinstated upon meeting the following
 25 requirements:

- 26 (1) Submission of the holder's completed renewal application.
 27 (2) Payment of the current renewal fee established by the board
 28 under section 2 of this chapter.
 29 (3) Payment of a reinstatement fee established by the Indiana
 30 professional licensing agency.
 31 (4) If a law requires the holder to complete continuing education
 32 as a condition of renewal, the holder:
 33 (A) shall provide the board with a sworn statement, signed by
 34 the holder, that the holder has fulfilled the continuing
 35 education requirements required by the board; or
 36 (B) shall, if the holder has not complied with the continuing
 37 education requirements, meet any requirements imposed under
 38 IC 25-1-4-5 and IC 25-1-4-6.

39 (d) Notwithstanding any other law regarding the reinstatement of a
 40 delinquent or lapsed license, certificate, or registration and except as
 41 provided in section 8 of this chapter, unless a statute specifically does
 42 not allow a license, certificate, or registration to be reinstated if it has



1 lapsed for more than three (3) years, the holder of a license, certificate,
 2 or registration that was issued by the board that is more than three (3)
 3 years delinquent must be reinstated upon meeting the following
 4 requirements:

- 5 (1) Submission of the holder's completed renewal application.
 6 (2) Payment of the current renewal fee established by the board
 7 under section 2 of this chapter.
 8 (3) Payment of a reinstatement fee equal to the current initial
 9 application fee.
 10 (4) If a law requires the holder to complete continuing education
 11 as a condition of renewal, the holder:
 12 (A) shall provide the board with a sworn statement, signed by
 13 the holder, that the holder has fulfilled the continuing
 14 education requirements required by the board; or
 15 (B) shall, if the holder has not complied with the continuing
 16 education requirements, meet any requirements imposed under
 17 IC 25-1-4-5 and IC 25-1-4-6.
 18 (5) Complete such remediation and additional training as deemed
 19 appropriate by the board given the lapse of time involved.
 20 (6) Any other requirement that is provided for in statute or rule
 21 that is not related to fees.

22 SECTION 26. IC 25-1-9-1, AS AMENDED BY P.L.84-2010,
 23 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2014]: Sec. 1. As used in this chapter, "board" means any of
 25 the following: **entities described in IC 25-0.5-11.**

- 26 (1) Board of chiropractic examiners (IC 25-10-1).
 27 (2) State board of dentistry (IC 25-14-1).
 28 (3) Indiana state board of health facility administrators
 29 (IC 25-19-1).
 30 (4) Medical licensing board of Indiana (IC 25-22.5-2).
 31 (5) Indiana state board of nursing (IC 25-23-1).
 32 (6) Indiana optometry board (IC 25-24).
 33 (7) Indiana board of pharmacy (IC 25-26).
 34 (8) Board of podiatric medicine (IC 25-29-2-1).
 35 (9) Speech-language pathology and audiology board
 36 (IC 25-35.6-2).
 37 (10) State psychology board (IC 25-33).
 38 (11) Indiana board of veterinary medical examiners
 39 (IC 25-38.1-2).
 40 (12) Indiana physical therapy committee (IC 25-27-1).
 41 (13) Respiratory care committee (IC 25-34.5).
 42 (14) Occupational therapy committee (IC 25-23.5).



- 1 (15) Behavioral health and human services licensing board
 2 (IC 25-23.6);
 3 (16) Physician assistant committee (IC 25-27.5);
 4 (17) Indiana athletic trainers board (IC 25-5.1-2-1);
 5 (18) Indiana dietitians certification board (IC 25-14.5-2-1);
 6 SECTION 27. IC 25-1-11-1, AS AMENDED BY P.L.42-2011,
 7 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2014]: Sec. 1. As used in this chapter, "board" means any of
 9 the following: **entities described in IC 25-0.5-12.**
 10 (1) Indiana board of accountancy (IC 25-2.1-2-1);
 11 (2) Board of registration for architects and landscape architects
 12 (IC 25-4-1-2);
 13 (3) Indiana auctioneer commission (IC 25-6.1-2);
 14 (4) State board of cosmetology and barber examiners
 15 (IC 25-8-3-1);
 16 (5) State board of registration for land surveyors (IC 25-21.5-2-1);
 17 (6) State board of funeral and cemetery service (IC 25-15-9);
 18 (7) State board of registration for professional engineers
 19 (IC 25-31-1-3);
 20 (8) Indiana plumbing commission (IC 25-28.5-1-3);
 21 (9) Indiana real estate commission (IC 25-34.1-2-1);
 22 (10) Real estate appraiser licensure and certification board
 23 (IC 25-34.1-8);
 24 (11) Private investigator and security guard licensing board
 25 (IC 25-30-1-5.2);
 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);
 29 SECTION 28. IC 33-23-8-3 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. As used in this
 31 section, "practitioner" means a person who holds a license. The term
 32 includes the following:
 33 (1) An attorney.
 34 (2) A person practicing an occupation or a profession that is
 35 licensed under IC 27 or by a **board referred to an entity**
 36 **described in IC 25-1-2-6(b): IC 25-0.5-3.**
 37 SECTION 29. IC 34-52-2-1, AS AMENDED BY P.L.1-2010,
 38 SECTION 140, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Subject to any other statute
 40 governing reimbursement of fees and other expenses, this chapter
 41 applies to the reimbursement of the fees and other expenses incurred
 42 in preparing for or prosecuting:



- 1 (1) a proceeding under IC 4-21.5-5 to judicially review a final
- 2 order made by a state agency;
- 3 (2) an appeal from a final determination made by the worker's
- 4 compensation board;
- 5 (3) an appeal of a final determination made by the department of
- 6 state revenue; or
- 7 (4) an appeal of a final determination made by the department of
- 8 workforce development or the department of workforce
- 9 development unemployment insurance review board.
- 10 (b) However, this chapter does not apply to an order or other
- 11 determination:
- 12 (1) under:
- 13 (A) IC 16-27-1;
- 14 (B) IC 16-28;
- 15 (C) IC 16-30;
- 16 (D) IC 12-28-4; or
- 17 (E) IC 12-28-5;
- 18 (2) by an agency described by ~~IC 25-1-8-1~~; **in IC 25-0.5-9**; or
- 19 (3) by the board of podiatric medicine.



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development & Technology, to which was referred Senate Bill No. 31, 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 to SB 31 as introduced.)

Committee Vote: Yeas 6, Nays 0

Senator Buck, Chairperson

