

SENATE BILL No. 172

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-122; IC 16-19-3-32; IC 25-8.5-2.

Synopsis: Behavior analysis services. Adds one member to the behavior analyst committee (committee). Requires the state department of health to inspect at least one time per year each facility where a licensed behavior analyst practices behavior analysis. Requires the committee to recommend proposed rules to the medical licensing board of Indiana concerning standards for the annual inspections.

Effective: July 1, 2022.

Ford J.D.

January 6, 2022, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 172

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

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

- 1 SECTION 1. IC 16-18-2-122, AS AMENDED BY P.L.142-2021,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 122. (a) **"Facility", for purposes of**
4 **IC 16-19-3-32, has the meaning set forth in IC 16-19-3-32.**
5 (a) (b) **"Facility", for purposes of IC 16-28-2-12, has the meaning**
6 **set forth in IC 16-28-2-12(a).**
7 (b) (c) **"Facility", for purposes of IC 16-28-6.5, has the meaning set**
8 **forth in IC 16-28-6.5-1.**
9 (c) (d) **"Facility", for purposes of IC 16-41-11, has the meaning set**
10 **forth in IC 16-41-11-2.**
11 SECTION 2. IC 16-19-3-32 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2022]: **Sec. 32. (a) As used in this section, "facility" means a**
14 **facility where a licensed behavior analyst conducts the practice of**
15 **behavior analysis, as defined in IC 25-8.5-1-4.**
16 (b) **The state department shall inspect each facility at least one**
17 **(1) time per calendar year and may conduct a complaint inspection**



1 **as needed.**

2 SECTION 3. IC 25-8.5-2-1, AS ADDED BY P.L.212-2021,
3 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 1. (a) The behavior analyst committee is
5 established.

6 (b) The committee consists of the following members appointed by
7 the governor:

8 (1) Three (3) behavior analyst members.

9 (2) One (1) consumer member.

10 (3) One (1) physician member.

11 **(4) One (1) member employed by the office of the secretary of**
12 **family and social services.**

13 (c) A member appointed to the committee serves a term under
14 IC 25-1-6.5.

15 SECTION 4. IC 25-8.5-2-6, AS ADDED BY P.L.212-2021,
16 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2022]: Sec. 6. (a) The committee shall recommend proposed
18 rules to the board establishing standards for the following:

19 (1) The competent practice of behavior analysis.

20 (2) The renewal of licenses issued under this chapter.

21 (3) Continuing education requirements for an individual seeking
22 renewal of licensure as a behavior analyst or assistant behavior
23 analyst.

24 (4) The approval of continuing education providers, programs,
25 courses, fees, and proof of course completion.

26 **(5) The annual inspection of a facility that provides behavior**
27 **analysis services, as required under IC 16-19-3-32.**

28 The board, after considering the committee's recommendations under
29 this subsection, shall adopt rules under IC 4-22-2 concerning the
30 standards described in this subsection.

31 (b) The committee shall recommend, and the board, after
32 considering the committee's recommendations, shall establish fees
33 under IC 25-1-8-2.

34 (c) The committee shall do the following:

35 (1) Consider the qualifications of individuals who apply for a
36 license under this chapter.

37 (2) Subject to IC 25-1-8-6, renew licenses under this article.

38 (3) Conduct proceedings under IC 25-1-9.

