



January 28, 2022

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## SENATE BILL No. 177

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DIGEST OF SB 177 (Updated January 27, 2022 1:38 pm - DI 129)

**Citations Affected:** IC 15-17; IC 15-17.5; IC 23-1.5; IC 24-5; IC 25-0.5; IC 25-1; IC 25-38.1; IC 35-48.

**Synopsis:** Veterinary medicine. Changes the name of the Indiana board of veterinary medical examiners to the Indiana board of veterinary medicine (board). Provides that the state veterinarian: (1) serves as the chief administrative officer of the board; (2) performs the duties delegated by the board to the state veterinarian; and (3) provides technical advice and assistance to the board. Establishes the Indiana center for animal policy (center) to facilitate the coordination of regulatory duties of the state board of animal health (BOAH) and the board. Provides that the state veterinarian is the chief administrative officer of the center and the BOAH. Requires that the BOAH (not the professional licensing agency) perform certain administrative functions for the board. Requires that the board and the division of consumer protection, office of the attorney general enter into a memorandum of understanding to share information concerning complaints and investigations against individuals regulated by the board. Allows the board to adopt emergency rules. Provides that the board, and the state veterinarian if authorized by the board, may subpoena witnesses and compel the production of certain documents as part of an investigation. Changes the name of the veterinary investigative fund to the veterinary medicine fund (fund). Makes various changes to the fund. Provides that the changes made by the bill do not apply until July 1, 2023. Provides for transition and makes conforming changes.

**Effective:** July 1, 2023.

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### Leising, Glick

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January 6, 2022, read first time and referred to Committee on Agriculture.  
January 11, 2022, reported favorably — Do Pass; reassigned to Committee on Appropriations.  
January 27, 2022, amended, reported favorably — Do Pass.

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SB 177—LS 6749/DI 77





January 28, 2022

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. 177

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

1 SECTION 1. IC 15-17-4-5, AS ADDED BY P.L.2-2008, SECTION  
2 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3 2023]: Sec. 5. The state veterinarian:

4 (1) serves as ~~secretary~~ **the chief administrative officer** of the  
5 board **and performs the duties delegated by the board to the**  
6 **state veterinarian;**

7 (2) provides technical advice and assistance ~~to, and serves as the~~  
8 **chief administrative officer** ~~to of,~~ the **Indiana** board of  
9 veterinary ~~medical examiners; medicine under IC 25-38.1;~~ and

10 (3) performs the duties delegated by the **Indiana** board of  
11 **veterinary medicine** to the state veterinarian.

12 SECTION 2. IC 15-17.5 IS ADDED TO THE INDIANA CODE AS  
13 A **NEW ARTICLE** TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
14 2023]:

15 **ARTICLE 17.5. CENTER FOR ANIMAL POLICY**

16 **Chapter 1. Definitions**

17 **Sec. 1. The definitions in this chapter apply throughout this**

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- 1 article.
- 2       **Sec. 2. "Board" refers to the Indiana board of veterinary**
- 3 **medicine established by IC 25-38.1-2-1.**
- 4       **Sec. 3. "Center" refers to the Indiana center for animal policy**
- 5 **established by IC 15-17.5-2-1.**
- 6       **Sec. 4. "State board" refers to the Indiana state board of animal**
- 7 **health established by IC 15-17-3-1.**
- 8       **Sec. 5. "State veterinarian" refers to the state veterinarian**
- 9 **appointed under IC 15-17-4-1.**
- 10       **Chapter 2. Indiana Center for Animal Policy**
- 11       **Sec. 1. The Indiana center for animal policy is established.**
- 12       **Sec. 2. The center is comprised of the following entities:**
- 13           **(1) The state board established by IC 15-17-3-1.**
- 14           **(2) The board established by IC 25-38.1-2-1.**
- 15       **Sec. 3. The state veterinarian is the chief administrative officer**
- 16 **of the center.**
- 17       **Sec. 4. The center shall protect human and animal health and**
- 18 **ensure efficient delivery of animal health services and products of**
- 19 **animal origin in Indiana by doing the following:**
- 20           **(1) Develop animal policy to address Indiana's need for a**
- 21 **healthy animal population, a safe food supply, and the**
- 22 **provision of a diverse range of veterinary medical services.**
- 23           **(2) Facilitate collaboration between the board and the state**
- 24 **board on programs that advance animal health, animal**
- 25 **welfare, food safety, and emergency preparedness.**
- 26           **(3) Streamline and provide for joint investigations,**
- 27 **enforcement, and other administrative functions of the board**
- 28 **and the state board.**
- 29           **(4) Enhance the ability of veterinarians and other employees**
- 30 **of the state board appointed under IC 15-17-4-8 to support**
- 31 **the regulatory mission of the board and the state board.**
- 32           **(5) Engage in joint outreach and education activities that**
- 33 **increase opportunities to interface with and support the needs**
- 34 **of veterinary practitioners, animal owners, and other**
- 35 **stakeholders.**
- 36           **(6) Safeguard against any incompetent, dishonest, or**
- 37 **unprincipled practice of veterinary medicine in Indiana.**
- 38       **Chapter 3. Administration and Personnel**
- 39       **Sec. 1. (a) The center shall facilitate the coordination of**
- 40 **regulatory duties of the state board and the board upon the**
- 41 **approval of each respective entity, as set forth in a memoranda of**
- 42 **understanding or other agreement.**



1           (b) Nothing in this article shall be construed to amend the  
2 independent duties, authorities, and funding mechanisms of the  
3 board and the state board.

4           Sec. 2. (a) The state veterinarian, acting as the chief  
5 administrative officer of the center, is authorized to direct  
6 activities of employees of the board and state board:

- 7                   (1) within the statutory authority of each entity; and  
8                   (2) in furtherance of the purposes set forth in IC 15-17.5-2.

9           (b) Employees of the board and state board are authorized to  
10 perform activities to carry out the purposes of either entity. Any  
11 joint use of personnel shall occur under:

- 12                   (1) the applicable administrative standards for the allocation  
13 of costs between the board and the state board; and  
14                   (2) the approval of the entity for which the activities are being  
15 performed.

16           (c) The state veterinarian may contract for additional  
17 technology, research, or human resources on behalf of the board  
18 and the state board:

- 19                   (1) under IC 5-22 or other applicable administrative  
20 standards; and  
21                   (2) with the approval of the regulatory entity or entities that  
22 are contributing state funds or other resources.

23           SECTION 3. IC 23-1.5-1-9, AS AMENDED BY P.L.57-2013,  
24 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2023]: Sec. 9. "Licensing authority" means the following:

- 26                   (1) In the case of an accounting professional, the Indiana state  
27 board of public accountancy.  
28                   (2) In the case of an architectural professional, the board of  
29 registration for architects and landscape architects.  
30                   (3) In the case of an engineering professional, the state board of  
31 registration for professional engineers.  
32                   (4) In the case of an attorney, the Indiana supreme court.  
33                   (5) In the case of a health care professional, the board (as defined  
34 in IC 25-1-9-1) that issues the individual's license, certification,  
35 or registration.  
36                   (6) In the case of a veterinarian, the Indiana board of veterinary  
37 ~~medical examiners: medicine.~~  
38                   (7) In the case of a professional surveyor, the state board of  
39 registration for professional surveyors.  
40                   (8) In the case of a real estate professional, the Indiana real estate  
41 commission.

42           SECTION 4. IC 24-5-0.5-12 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) It is an incurable  
 2 deceptive act for an individual, while soliciting or performing a  
 3 consumer transaction, to claim, either orally or in writing, to possess a  
 4 doctorate degree or use a title, a word, letters, an insignia, or an  
 5 abbreviation associated with a doctorate degree, unless the individual:

6 (1) has been awarded a doctorate degree from an institution that  
 7 is:

8 (A) accredited by a regional or professional accrediting agency  
 9 recognized by the United States Department of Education or  
 10 the Council on Postsecondary Accreditation;

11 (B) a religious seminary, institute, college, or university whose  
 12 certificates, diplomas, or degrees clearly identify the religious  
 13 character of the educational program; or

14 (C) operated and supported by a governmental agency; or

15 (2) meets the requirements approved by one (1) of the following  
 16 boards:

17 (A) Medical licensing board of Indiana.

18 (B) State board of dental examiners.

19 (C) Indiana optometry board.

20 (D) Board of podiatric medicine.

21 (E) State psychology board.

22 (F) Board of chiropractic examiners.

23 (G) Indiana board of veterinary ~~medical examiners.~~ **medicine.**

24 (H) Indiana board of pharmacy.

25 (I) Indiana state board of nursing.

26 (b) It is an incurable deceptive act for an individual, while soliciting  
 27 or performing a consumer transaction, to claim to be a:

28 (1) physician unless the individual holds an unlimited license to  
 29 practice medicine under IC 25-22.5;

30 (2) chiropractic physician unless the individual holds a license as  
 31 a chiropractor under IC 25-10-1; or

32 (3) podiatric physician unless the individual holds a license as a  
 33 podiatrist under IC 25-29.

34 (c) The attorney general shall enforce this section in the same  
 35 manner as any other incurable deceptive act under this chapter.

36 SECTION 5. IC 25-0.5-3-27, AS ADDED BY P.L.3-2014,  
 37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2023]: Sec. 27. IC 25-1-2-6(b) applies to the Indiana board of  
 39 veterinary ~~medical examiners.~~ **medicine.**

40 SECTION 6. IC 25-0.5-4-33, AS ADDED BY P.L.3-2014,  
 41 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2023]: Sec. 33. The Indiana board of veterinary ~~medical~~



1 ~~examiners medicine~~ (IC 25-38.1-2) is a board under IC 25-1-4.

2 SECTION 7. IC 25-0.5-5-12 IS REPEALED [EFFECTIVE JULY  
3 1, 2023]. ~~Sec. 12. The Indiana professional licensing agency shall~~  
4 ~~perform administrative functions, duties, and responsibilities for the~~  
5 ~~Indiana board of veterinary medical examiners (IC 25-38.1-2) under~~  
6 ~~IC 25-1-5-3(a).~~

7 SECTION 8. IC 25-0.5-6-12, AS ADDED BY P.L.3-2014,  
8 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2023]: Sec. 12. An individual licensed, certified, registered,  
10 or permitted by the Indiana board of veterinary ~~medical examiners~~  
11 **medicine** (IC 25-38.1-2) is a provider under IC 25-1-5-10.

12 SECTION 9. IC 25-0.5-8-20, AS ADDED BY P.L.3-2014,  
13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2023]: Sec. 20. An occupation for which a person is licensed,  
15 certified, or registered by the Indiana board of veterinary ~~medical~~  
16 **examiners medicine** (IC 25-38.1) is a regulated occupation under  
17 IC 25-1-7.

18 SECTION 10. IC 25-0.5-9-20, AS ADDED BY P.L.3-2014,  
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2023]: Sec. 20. The Indiana board of veterinary ~~medical~~  
21 **examiners medicine** (IC 25-38.1-2-1) is a board under IC 25-1-8.

22 SECTION 11. IC 25-0.5-10-33, AS ADDED BY P.L.3-2014,  
23 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2023]: Sec. 33. The Indiana board of veterinary ~~medical~~  
25 **examiners medicine** (IC 25-38.1) is a board under IC 25-1-8-6.

26 SECTION 12. IC 25-0.5-11-12, AS ADDED BY P.L.3-2014,  
27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2023]: Sec. 12. The Indiana board of veterinary ~~medical~~  
29 **examiners medicine** (IC 25-38.1-2) is a board under IC 25-1-9.

30 SECTION 13. IC 25-1-5-10.5 IS ADDED TO THE INDIANA  
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2023]: **Sec. 10.5. The Indiana board of**  
33 **veterinary medicine shall provide the agency with the information**  
34 **necessary to create and maintain a provider profile under section**  
35 **10 of this chapter for each provider (as defined by section 10(a) of**  
36 **this chapter) regulated under IC 25-38.1.**

37 SECTION 14. IC 25-1-7-3, AS AMENDED BY P.L.32-2021,  
38 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2023]: Sec. 3. (a) Except as provided in subsections (b), ~~and~~  
40 (c), ~~and~~ (d), the division is responsible for the investigation of  
41 complaints concerning licensees.

42 (b) The medical licensing board of Indiana shall investigate a



1 complaint concerning a physician licensed under IC 25-22.5 and a  
 2 violation specified in IC 25-22.5-2-8. The division shall forward a  
 3 complaint concerning a physician licensed under IC 25-22.5 and a  
 4 violation specified in IC 25-22.5-2-8 to the medical licensing board of  
 5 Indiana for investigation by the board. However, if the complaint  
 6 includes a violation in addition to a violation specified in  
 7 IC 25-22.5-2-8, the division shall investigate the complaint in its  
 8 entirety and notify the medical licensing board of Indiana of the  
 9 investigation.

10 (c) The state board of cosmetology and barber examiners shall  
 11 investigate complaints under IC 25-8-14-5, IC 25-8-4-13, IC 25-8-4-29,  
 12 IC 25-8-9-14, and IC 25-8-15.4-5. The division shall forward a  
 13 complaint concerning the practice of beauty culture under IC 25-8 to  
 14 the state board of cosmetology and barber examiners for investigation  
 15 by the state board of cosmetology and barber examiners. However, if  
 16 the complaint includes a violation in addition to a violation specified  
 17 in IC 25-8-14-5, IC 25-8-4-13, IC 25-8-4-29, IC 25-8-9-14, and  
 18 IC 25-8-15.4-5, the division shall investigate the complaint in its  
 19 entirety and notify the state board of cosmetology and barber examiners  
 20 of the investigation.

21 **(d) The Indiana board of veterinary medicine and the division**  
 22 **shall enter into a memorandum of understanding that establishes**  
 23 **a process for sharing information between the division and the**  
 24 **Indiana board of veterinary medicine concerning complaints**  
 25 **received and the investigation of complaints of violations of**  
 26 **IC 25-38.1. The memorandum of understanding shall include,**  
 27 **without limitation, a process for providing information to the state**  
 28 **veterinarian on behalf of the Indiana board of veterinary medicine,**  
 29 **including complaints received, investigations conducted on behalf**  
 30 **of the Indiana board of veterinary medicine, and case dispositions.**

31 SECTION 15. IC 25-1-7-5, AS AMENDED BY P.L.227-2015,  
 32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2023]: Sec. 5. (a) Subsection (b)(1) does not apply to:

34 (1) a complaint filed by:

35 (A) a member of any of the entities described in IC 25-0.5-8;

36 or

37 (B) the Indiana professional licensing agency; or

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

39 (b) Except as provided in section 3(b), ~~or~~ 3(c), ~~or~~ **3(d)** of this  
 40 chapter, the director has the following duties and powers:

41 (1) The director shall make an initial determination as to the merit  
 42 of each complaint. A copy of a complaint having merit shall be





1 submitted to the board having jurisdiction over the licensee's  
 2 regulated occupation, that board thereby acquiring jurisdiction  
 3 over the matter except as otherwise provided in this chapter.

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

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

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

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

20 SECTION 16. IC 25-38.1-1-4 IS REPEALED [EFFECTIVE JULY  
 21 1, 2023]. ~~Sec. 4: "Agency" refers to the Indiana professional licensing~~  
 22 ~~agency established by IC 25-1-5-3.~~

23 SECTION 17. IC 25-38.1-1-7, AS ADDED BY P.L.2-2008,  
 24 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2023]: Sec. 7. "Board" means the Indiana board of veterinary  
 26 ~~medical examiners~~ **medicine** established by IC 25-38.1-2-1.

27 SECTION 18. IC 25-38.1-1-13.4 IS ADDED TO THE INDIANA  
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 29 [EFFECTIVE JULY 1, 2023]: **Sec. 13.4. "State board" refers to the**  
 30 **Indiana state board of animal health established by IC 15-17-3-1.**

31 SECTION 19. IC 25-38.1-2-1, AS AMENDED BY P.L.249-2019,  
 32 SECTION 137, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The Indiana board of  
 34 veterinary ~~medical examiners~~ **medicine** is established.

35 (b) Subject to IC 25-1-6.5-3, the board consists of seven (7)  
 36 members appointed by the governor.

37 (c) One (1) of the board members must be a registered veterinary  
 38 technician.

39 (d) One (1) of the board members must be appointed to represent  
 40 the general public.

41 (e) Not more than four (4) board members may be affiliated with the  
 42 same political party.



1 (f) A board member may be removed under IC 25-1-6.5-4.

2 SECTION 20. IC 25-38.1-2-5, AS ADDED BY P.L.2-2008,  
3 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2023]: Sec. 5. (a) The board shall hold an annual meeting in  
5 Indianapolis and other regular meetings during the year at places the  
6 board sets.

7 (b) The board may hold special meetings as necessary. The  
8 chairperson or two (2) members of the board may call a special  
9 meeting.

10 (c) Four (4) members of the board constitute a quorum.

11 (d) All meetings must be open and public. However, the board may  
12 meet in closed session:

13 (1) to prepare, approve, administer, or grade examinations;

14 (2) to deliberate the qualifications of an applicant for license or  
15 registration; or

16 (3) to deliberate the disposition of a proceeding to discipline a  
17 licensed veterinarian or registered veterinary technician.

18 (e) Minutes of each regular and special meeting shall be compiled  
19 and kept as a permanent record in the same office as other records of  
20 the board are kept. The ~~agency board~~ is responsible for the care and  
21 safekeeping of the minutes.

22 SECTION 21. IC 25-38.1-2-7, AS AMENDED BY P.L.58-2008,  
23 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2023]: Sec. 7. (a) At its annual meeting, the board shall elect  
25 a chairperson and vice chairperson and other necessary officers  
26 determined by the board. Officers shall serve for a term of one (1) year  
27 or until a successor is elected. There is no limitation on the number of  
28 terms an officer may serve.

29 (b) The state veterinarian shall be the **chief administrative officer**  
30 **of and** technical adviser ~~of to~~ the board.

31 (c) The duties of the ~~agency state veterinarian are the duties the~~  
32 **board delegates to the state veterinarian and** include:

33 (1) corresponding for the board;

34 (2) keeping accounts and records of all receipts and  
35 disbursements by the board;

36 (3) keeping records of all applications for license or registration;

37 (4) keeping a register of all persons currently licensed or  
38 registered by the board;

39 (5) keeping permanent records of all board proceedings; and

40 ~~(6) administering the veterinary investigative fund established by~~  
41 ~~section 25 of this chapter;~~

42 **(6) performing any other administrative function of the board**



1           **delegated by the board.**

2           SECTION 22. IC 25-38.1-2-14.5 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2023]: **Sec. 14.5. If the board determines that**  
5 **an emergency presents a risk to the delivery of competent, honest,**  
6 **and principled veterinary services in Indiana as described in**  
7 **IC 15-17.5-2-4, the board may adopt emergency rules in the**  
8 **manner provided under IC 4-22-2-37.1 that:**

9           **(1) suspend or modify licensing, examination, continuing**  
10 **education, or permit requirements under this article; or**

11           **(2) implement measures that safeguard the health, safety, and**  
12 **welfare of the citizens and animals of Indiana.**

13           SECTION 23. IC 25-38.1-2-15, AS ADDED BY P.L.2-2008,  
14 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2023]: Sec. 15. **(a)** Subject to IC 25-1-7, the board may  
16 conduct investigations for the purpose of discovering violations of this  
17 article by:

18           (1) licensed veterinarians or registered veterinary technicians; or

19           (2) persons practicing veterinary medicine without a license or  
20 persons practicing as a registered veterinary technician without  
21 being registered.

22           **(b) The board, and the state veterinarian if authorized by the**  
23 **board, has the power to subpoena witnesses and to send for and**  
24 **compel the production of books, records, papers, and documents**  
25 **for the furtherance of any investigation under this chapter. The**  
26 **circuit or superior court located in the county where the subpoena**  
27 **is to be issued shall enforce the subpoena.**

28           SECTION 24. IC 25-38.1-2-19, AS AMENDED BY P.L.58-2008,  
29 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2023]: Sec. 19. **(a)** The board shall establish by rule under  
31 IC 25-1-8 fees sufficient to implement this article, including fees for  
32 examining and licensing veterinarians and for examining and  
33 registering veterinary technicians.

34           **(b)** In addition to the fee to issue or renew a license, registration, or  
35 permit, the board may establish a fee of not more than ten dollars (\$10)  
36 per year for a person who holds a license or special permit as a  
37 veterinarian or a registration or special permit as a veterinary  
38 technician to provide funds for administering and enforcing the  
39 provisions of this article, including investigating and taking action  
40 against persons who violate this article. All funds collected under this  
41 subsection shall be deposited in the veterinary **investigative medicine**  
42 fund established by section 25 of this chapter.



1 (c) The fees established under this section shall be charged and  
2 collected by the ~~agency~~ **state board**.

3 SECTION 25. IC 25-38.1-2-22, AS ADDED BY P.L.2-2008,  
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2023]: Sec. 22. The ~~agency~~ **state board** shall provide the  
6 board with ~~full~~ **full-time** or part-time professional and clerical  
7 personnel and supplies, including printed matter and equipment,  
8 necessary to implement this article.

9 SECTION 26. IC 25-38.1-2-25, AS ADDED BY P.L.58-2008,  
10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2023]: Sec. 25. (a) The veterinary ~~investigative~~ **medicine** fund  
12 is established to provide funds for administering and enforcing the  
13 provisions of this article, including investigating and taking  
14 enforcement action against violators of this article. The fund shall be  
15 administered by the ~~agency~~ **state board for the board**.

16 (b) The expenses of administering the fund shall be paid from the  
17 money in the fund. The fund consists of money from the fee imposed  
18 under section 19(b) of this chapter.

19 (c) The treasurer of state shall invest the money in the fund not  
20 currently needed to meet the obligations of the fund in the same  
21 manner as other public money may be invested.

22 (d) Money in the fund at the end of a state fiscal year does not revert  
23 to the state general fund. However, if the total amount in the fund  
24 exceeds seven hundred fifty thousand dollars (\$750,000) at the end of  
25 a state fiscal year after payment of all claims and expenses, the amount  
26 that exceeds seven hundred fifty thousand dollars (\$750,000) reverts  
27 to the state general fund.

28 (e) Money in the fund is continually appropriated to the ~~agency~~  
29 **state board** for its use in administering and enforcing this article,  
30 conducting investigations, and taking enforcement action against  
31 persons violating this article.

32 (f) The attorney general, ~~and the agency board, and the state~~  
33 **board** may enter into a memorandum of understanding to provide the  
34 attorney general with funds to conduct investigations and pursue  
35 enforcement action against violators of this article.

36 (g) The attorney general and the ~~agency~~ **state board** shall present  
37 the memorandum of understanding annually to the board for review.

38 SECTION 27. IC 25-38.1-2-26 IS ADDED TO THE INDIANA  
39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
40 [EFFECTIVE JULY 1, 2023]: **Sec. 26. (a) Any reference in a law,**  
41 **rule, license, permit, registration, certification, order, agreement,**  
42 **or other document to or by the Indiana board of veterinary**



1 **medical examiners shall be treated after June 30, 2023, as a**  
 2 **reference to the board.**

3 **(b) Any rules adopted by the Indiana board of veterinary**  
 4 **medical examiners before July 1, 2023, are considered, after June**  
 5 **30, 2023, rules of the board.**

6 SECTION 28. IC 25-38.1-3-4, AS AMENDED BY P.L.58-2008,  
 7 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2023]: Sec. 4. (a) The board shall hold at least one (1)  
 9 examination for licensing veterinarians and one (1) examination for  
 10 registering veterinary technicians each year. However, the board may  
 11 hold additional examinations. The ~~agency~~ **board** shall give notice of  
 12 the date, time, and place for each examination at least ninety (90) days  
 13 before the date set for the examination. A person desiring to take an  
 14 examination must make application not later than the time the board  
 15 prescribes under IC 25-38.1-2-12.

16 (b) The board must approve the preparation, administration, and  
 17 grading of examinations that comply with the following requirements:

18 (1) Examinations for licensure to practice as a veterinarian must  
 19 be designed to test the examinee's knowledge of and proficiency  
 20 in the subjects and techniques commonly taught in veterinary  
 21 schools. To pass the examination, the examinee must demonstrate  
 22 scientific and practical knowledge sufficient to prove to the board  
 23 that the examinee is competent to practice veterinary medicine.  
 24 The board may adopt and use examinations approved by the  
 25 National Board of Veterinary Medical Examiners for licensure to  
 26 practice veterinary medicine.

27 (2) Examinations for registration as a registered veterinary  
 28 technician must be designed to test the examinee's knowledge of  
 29 and proficiency in the subjects and techniques commonly taught  
 30 in schools for veterinary technicians. To pass the examination, the  
 31 examinee must demonstrate scientific and practical knowledge  
 32 sufficient to prove to the board that the examinee is competent to  
 33 act as a registered veterinary technician. The board may adopt and  
 34 use examinations approved by the American Association of  
 35 Veterinary State Boards for registration as a veterinary technician.

36 (c) To qualify for a license as a veterinarian or to be registered as a  
 37 veterinary technician, the applicant must attain a passing score in the  
 38 examinations.

39 (d) After the examinations, the ~~agency~~ **board** shall notify each  
 40 examinee of the result of the examinee's examinations. The board shall  
 41 issue a license or registration certificate, as appropriate, to each  
 42 individual who successfully completes the examinations and is



1 otherwise qualified. The **agency board** shall keep a permanent record  
2 of the issuance of each license or registration certificate.

3 (e) An individual who fails to pass the required examinations may  
4 apply to take a subsequent examination. Payment of the examination  
5 fee may not be waived.

6 (f) If an applicant fails to pass the required examination within three  
7 (3) attempts in Indiana or any other state, the applicant may not retake  
8 the required examination. The applicant may take subsequent  
9 examinations upon approval by the board and completion of remedial  
10 education as required by the board.

11 SECTION 29. IC 25-38.1-3-11, AS AMENDED BY P.L.177-2015,  
12 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2023]: Sec. 11. (a) Subject to IC 25-1-2-6(e), a license issued  
14 under this chapter is valid until the next renewal date described under  
15 subsection (b).

16 (b) All licenses expire on a date set by the **agency board** in each  
17 odd-numbered year but may be renewed by application to the board  
18 and payment of the proper renewal fee. In accordance with  
19 IC 25-1-5-4(c), the **agency board** shall mail a notice ninety (90) days  
20 before the expiration to each licensed veterinarian. The **agency board**  
21 shall issue a license renewal to each individual licensed under this  
22 chapter if the proper fee has been received and all other requirements  
23 for renewal of the license have been satisfied. Failure to renew a  
24 license on or before the expiration date automatically renders the  
25 license invalid without any action by the board.

26 SECTION 30. IC 25-38.1-3-12, AS AMENDED BY P.L.177-2015,  
27 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2023]: Sec. 12. (a) Subject to IC 25-1-2-6(e), a registration  
29 certificate issued under this chapter is valid until the next renewal date  
30 described under subsection (b).

31 (b) Subject to IC 25-1-2-6(e), all registration certificates expire on  
32 a date set by the **agency board** of each even-numbered year but may be  
33 renewed by application to the board and payment of the proper renewal  
34 fee. In accordance with IC 25-1-5-4(c), the **agency board** shall mail a  
35 notice ninety (90) days before the expiration to each registered  
36 veterinary technician. The **agency board** shall issue a registration  
37 certificate renewal to each individual registered under this chapter if  
38 the proper fee has been received and all other requirements for renewal  
39 of the registration certificate have been satisfied. Failure to renew a  
40 registration certificate on or before the expiration date automatically  
41 renders the license invalid without any action by the board.

42 SECTION 31. IC 25-38.1-5-5, AS ADDED BY P.L.58-2008,



1 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2023]: Sec. 5. (a) The impaired veterinary health care  
3 provider fund is established to provide money for rehabilitation of  
4 impaired veterinary health care providers under this chapter. The  
5 **agency state board** shall administer the fund **for the board**.

6 (b) Expenses of administering the fund shall be paid from money in  
7 the fund. The fund consists of any grants or public and private financial  
8 assistance designated for the fund.

9 (c) The treasurer of state shall invest the money in the fund not  
10 currently needed to meet the obligations of the fund in the same  
11 manner as other public money may be invested.

12 (d) Money in the fund at the end of a state fiscal year does not revert  
13 to the state general fund.

14 (e) Money in the fund is appropriated to the board for the purpose  
15 stated in subsection (a).

16 SECTION 32. IC 35-48-3-2, AS AMENDED BY P.L.84-2010,  
17 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2023]: Sec. 2. (a) Any humane society, animal control agency,  
19 or governmental entity operating an animal shelter or other animal  
20 impounding facility is entitled to receive a limited permit only for the  
21 purpose of buying, possessing, and using:

22 (1) sodium pentobarbital to euthanize injured, sick, homeless, or  
23 unwanted domestic pets and animals;

24 (2) ketamine and ketamine products to anesthetize or immobilize  
25 fractious domestic pets and animals; and

26 (3) a combination product containing tiletamine and zolazepam as  
27 an agent for the remote chemical capture of domestic pets or  
28 animals that otherwise cannot be restrained or captured.

29 (b) A humane society, animal control agency, or governmental  
30 entity entitled to receive a permit under this chapter must:

31 (1) apply to the board according to the rules established by the  
32 board;

33 (2) pay annually to the board a fee set by the board for the limited  
34 permit; and

35 (3) submit proof, as determined by the board, that the employees  
36 of an applicant who will handle a controlled substance are  
37 sufficiently trained to use and administer the controlled substance.

38 (c) All fees collected by the board under this section shall be  
39 credited to the state board of pharmacy account.

40 (d) Storage, handling, and use of controlled substances obtained  
41 according to this section are subject to the rules adopted by the board.

42 (e) Before issuing a permit under this section, the board may consult



1 with the **Indiana** board of veterinary ~~medical examiners~~; **medicine**.

2 SECTION 33. IC 35-48-3-4, AS AMENDED BY P.L.84-2010,  
3 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2023]: Sec. 4. (a) The board shall register an applicant to  
5 manufacture or distribute controlled substances unless it determines  
6 that the issuance of that registration would be inconsistent with the  
7 public interest. In determining the public interest, the board shall  
8 consider:

9 (1) maintenance of effective controls against diversion of  
10 controlled substances into other than legitimate medical,  
11 scientific, or industrial channels;

12 (2) compliance with applicable state and local law;

13 (3) any convictions of the applicant under any federal and state  
14 laws relating to any controlled substance;

15 (4) past experience in the manufacture or distribution of  
16 controlled substances, and the existence in the applicant's  
17 establishment of effective controls against diversion;

18 (5) furnishing by the applicant of false or fraudulent material in  
19 any application filed under this article;

20 (6) suspension or revocation of the applicant's federal registration  
21 to manufacture, distribute, or dispense controlled substances as  
22 authorized by federal law; and

23 (7) any other factors relevant to and consistent with the public  
24 health and safety.

25 (b) Registration under subsection (a) of this section does not entitle  
26 a registrant to manufacture and distribute controlled substances in  
27 schedules I or II other than those specified in the registration.

28 (c) Practitioners must be registered to dispense any controlled  
29 substances or to conduct research with controlled substances in  
30 schedules II through V if they are authorized to dispense or conduct  
31 research under the law of this state. The board need not require  
32 separate registration under this chapter for practitioners engaging in  
33 research with nonnarcotic controlled substances in schedules II through  
34 V where the registrant is already registered under this chapter in  
35 another capacity, to the extent authorized by ~~his~~ **the registrant's**  
36 registration in that other capacity.

37 (d) Registration to conduct research or instructional activities with  
38 controlled substances in schedules I through V does not entitle a  
39 registrant to conduct research or instructional activities with controlled  
40 substances other than those approved by the board in accordance with  
41 the registration.

42 (e) The board may consult with the **Indiana** board of veterinary





1 ~~medical examiners~~ **medicine** before issuing a registration to a person:  
2 (1) who seeks to conduct research or instructional activities with  
3 controlled substances in schedules I through IV; and  
4 (2) whose activities constitute the practice of veterinary medicine  
5 (as defined by IC 25-38.1-1-12).  
6 (f) Compliance by manufacturers and distributors with the  
7 provisions of the federal law respecting registration (excluding fees)  
8 entitles them to be registered under this article.



## COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Senate Bill No. 177, 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 and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 177 as introduced.)

LEISING, Chairperson

Committee Vote: Yeas 7, Nays 0

## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 177, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective dates in SECTIONS 1 through 33 with "[EFFECTIVE JULY 1, 2023]".

Page 6, delete lines 21 through 33, begin a new paragraph and insert:

**"(d) The Indiana board of veterinary medicine and the division shall enter into a memorandum of understanding that establishes a process for sharing information between the division and the Indiana board of veterinary medicine concerning complaints received and the investigation of complaints of violations of IC 25-38.1. The memorandum of understanding shall include, without limitation, a process for providing information to the state veterinarian on behalf of the Indiana board of veterinary medicine, including complaints received, investigations conducted on behalf of the Indiana board of veterinary medicine, and case dispositions."**

Page 10, line 1, reset in roman "All funds collected under this".

Page 10, reset in roman lines 2 through 3.

Page 10, line 2, strike "investigative" and insert "**medicine**".

Page 10, delete lines 6 through 8.

Page 10, line 11, delete "(a)".

Page 10, delete lines 15 through 17.

Page 10, line 26, delete "appropriations by the".

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Page 10, line 27, delete "general assembly and".

Page 10, line 27, reset in roman "the fee".

Page 10, line 27, delete "fees".

Page 10, line 27, reset in roman "section".

Page 10, line 28, reset in roman "19(b) of".

Page 10, line 31, delete "Interest that accrues".

Page 10, line 32, delete "from these investments shall be deposited in the fund."

Page 11, line 12, delete "2022," and insert "**2023**,".

Page 11, line 15, delete "2022," and insert "**2023**,".

Page 11, line 16, delete "2022," and insert "**2023**,".

and when so amended that said bill do pass.

(Reference is to SB 177 as printed January 12, 2022.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

